

County Planning Commission
Resolution #12-2017

COUNTY PLANNING COMMISSION RESOLUTION

RESOLUTION NO. 12-2017

RESOLUTION OF THE COUNTY PLANNING COMMISSION OF THE COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, CERTIFYING THE SARANAP VILLAGE EIR, INCORPORATING FINDINGS AND APPROVING A VESTING TENTATIVE MAP FOR CONDOMINIUM PURPOSES FOR THE SARANAP VILLAGE PROJECT, #SD13-9359 SUBDIVIDING \pm 3.9 ACRES INTO 3 PARCELS; AND RECOMMENDING APPROVAL OF GENERAL PLAN AMENDMENT #GP13-0003 RECLASSIFICATION TO MIXED-USE (M-15) LAND USE DESIGNATION, RECLASSIFICATION OF BOULEVARD WAY TO "COLLECTOR" AND CONFORMING TEXT AMENDMENT, RZ#13-3224 REZONE TO PLANNED UNIT (P-1) DISTRICT, #DP13-3035 PRELIMINARY AND FINAL DEVELOPMENT PLAN AND ASSOCIATED DEVELOPMENT AGREEMENT FOR THE PROPOSED 198 RESIDENTIAL UNITS, APPROXIMATELY 21,522 SQUARE FEET OF LEASABLE COMMERCIAL SPACE, ASSOCIATED PARKING AND IMPROVEMENTS TO THE PUBLIC RIGHT-OF-WAY LOCATED AT 1285, 1298, 1299, 1300, 1310, and 1326 BOULEVARD WAY, AND 1176 AND 1180 SARANAP AVENUE IN THE WALNUT CREEK AREA OF SAID COUNTY.

WHEREAS, Hall Equities Group (Applicant), proposed a General Plan Amendment, Rezoning, Major Subdivision, and Preliminary and Final Development Plan to allow the implementation and construction of the Saranap Village Mixed-Use Project. Landowners Atrium Villa HOA/Boulevard Terrace Owners Assoc. and Saranap Village Developers LLC have consented. These findings pertain to the 2017 Plan (referred to in this resolution as the "2017 Plan"), which is a variant of the Mitigated Plan Alternative addressed within the Environmental Impact Report. The 2017 Plan demolishes approximately 47,821 square feet of existing commercial, residential, and former Sufism Reoriented Sanctuary buildings for the construction of up to 122 rental apartments in one condominium unit, 76 residential condominiums, 20 condominium units for commercial and parking uses including approximately 21,522 gross leasable area of commercial space for neighborhood-oriented businesses, and associated recreational facilities and services on privately-owned sites (Sites-A, -B/B1 and -C). The 2017 Plan will be constructed in phases, which will likely be broken down into one phase per site (Site-A, -B/B1, and -C). The 2017 Plan includes height limitations, approximately 424 on-site parking spaces within garages, 13 additional garage spaces to replace spaces of the neighboring Boulevard Terraces condominiums that will be lost, and approximately 68 head-in angled and parallel street parking along Boulevard Way and Saranap Avenue for commercial and residential uses. In addition, the 2017 Plan will include earth moving activities consisting of approximately 26,500 cubic yards of cut and approximately 2,615 cubic yards of fill, and substantial improvements to the public rights-of-way along portions of Boulevard Way and Saranap Avenue; and

WHEREAS, a Notice of Preparation of an Environmental Impact Report ("EIR") was distributed by the Department of Conservation and Development, Community Development Division for the "Saranap Village Mixed-Use Project" on March 19, 2014; and

WHEREAS, on April 7, 2014, the Zoning Administrator held a scoping session on the project in Martinez. The County received several comments; and

WHEREAS, for purposes of compliance with the provisions of the California Environmental Quality Act (CEQA) and the State and County CEQA Guidelines, a Draft Environmental Impact Report ("Draft EIR") was prepared and circulated for review and comments between September 18, 2014 through November 17, 2014 that proposed and studied 235 residential units, 43,541 square feet of gross leasable space for commercial use, a buildings mass of approximately 591,659 square feet, and four project alternatives; and

WHEREAS, following the close of the public comment period, County staff determined to increase the scope of the proposed General Plan Amendment to encompass a reclassification of the on-site and off-site portions of Boulevard Way from "arterial" to "collector" by way of amending the Roadway Network Plan, an amendment to the text of Implementation Measure 5-w pertaining to parking and traffic flow and a conforming text amendment;

WHEREAS, on July 14, 2015, the Applicant submitted an additional alternative that incorporated less development and reduced building heights; and

WHEREAS, on July 24, 2015, a Notice of Preparation & Notice of Public Scoping Meeting for a Recirculated Draft Environmental Impact Report was distributed for the "Saranap Village Mixed-Use Project". The Notice of Preparation announced that a Recirculated Draft EIR ("RDEIR") would be prepared to address the new General Plan amendments, the smaller alternative proposed by the Applicant, and to present a corrected analysis of aesthetic impacts of the project; and

WHEREAS, on August 17, 2015, the County held a scoping session on the project in Martinez. The County received both written and oral comments; and

WHEREAS, for purposes of compliance with the provisions of the California Environmental Quality Act (CEQA) and the State and County CEQA Guidelines, an RDEIR was prepared and circulated for review and comments between May 5, 2016 and July 6, 2016, that addressed the impacts of the new alternative proposed by the Applicant referred to as the "Mitigated Plan Alternative" or "MPA." The Mitigated Plan Alternative proposed 22,621 square feet of gross leasable area for commercial uses and 196 residential units. The RDEIR included a revised aesthetic impact analysis and visual massing simulations for the project. The RDEIR also studied the potential change to the roadway classification for Boulevard Way from "arterial" to "collector" as well as the text amendments to Implementation Measure 5-w. The County received numerous comments on the RDEIR; and

WHEREAS, following the close of the public comment period on the RDEIR, County staff reviewed the information provided by all commenters, and determined that additional height reduction mitigation is required to ensure that neither the project nor any of the alternatives substantially degrades the existing visual character or quality of the site and its surroundings. The applicant accordingly proposed further height reductions, flat roofs, and a roof design that steps

back away from Saranap Avenue. These attributes were subsequently incorporated into the design for Site-A in the 2017 Plan that is addressed in these findings; and

WHEREAS, the County prepared written responses to the comments received on both the Draft EIR ("DEIR") and the RDEIR and on June 16, 2017, the County as required by the California Environmental Quality Act and the State and County CEQA Guidelines, published the Response to Comments document known as the Final Environmental Impact Report ("FEIR") which provides a reasoned response to all comments received during the comment period that raised significant environmental issues. The "EIR" consists of the DEIR, the RDEIR, and the FEIR, with a State Clearinghouse No. 2014032060; and

WHEREAS, a closed public hearing was held before the County Zoning Administrator on June 26, 2017, and the Zoning Administrator recommended the County Planning Commission certify the EIR finding it to be adequate and complete, and certify that the Commission considered the contents of the EIR prior to making a decision on the project; and

WHEREAS, after notice having been fully given, a public hearing was scheduled before the County Planning Commission on Wednesday, June 28, 2017, during which the Commission fully reviewed, considered, and evaluated all the testimony and evidence submitted in this matter; and

NOW THEREFORE, BE IT RESOLVED that the County Planning Commission ("this Commission") takes the following action:

1. FINDS the EIR, which is incorporated by this reference, to be adequate and complete, finding that it has been prepared in compliance with the California Environmental Quality Act, the State CEQA Guidelines and County CEQA Guidelines, and finding that it reflects the County's independent judgment and analysis, and specifying that the Department of Conservation and Development, Community Development Division (located at 30 Muir Road, Martinez, CA) is the custodian of the documents and other materials which constitute the record of proceedings upon which this decision is based.
2. ACCEPTS the recommendation by the County Zoning Administrator to certify the EIR and CERTIFIES the EIR as set forth in the attached CEQA findings included in Attachment 1, which is incorporated by this reference.
3. CERTIFIES that this Commission considered the contents of the EIR prior to making a decision on the project.
4. ADOPTS CEQA findings that address environmental impacts and mitigation measures, as set forth in the above "whereas" clauses and in Attachment 1, and ADOPTS the Mitigation Monitoring and Reporting Program (MMRP) attached as Attachment 2, insofar as it pertains to the MPA, and incorporates the MMRP by this reference.

5. APPROVES the Vesting Tentative Map for Condominium Purposes, a Major Subdivision, County File #SD13-9359, which includes approval to remove trees, based on the attached findings, and subject to the conditions of approval in Attachment 3.
6. APPROVES Land Use Permits to allow the following uses: three Land Use Permits to allow Alcoholic Beverage Sales in any non-residential space within the Zoning District, six Land Use Permits for Take-Out Food Establishments in any non-residential space within the Zoning District, and three garages that may include Exclusive Parking Facilities within the Zoning District, based on the attached findings, and subject to the conditions of approval in Attachment 3. These uses shall count as the three Alcoholic Beverage Sales, six Take-Out Food Establishments, and three Exclusive Parking Facilities listed as permitted uses in the Saranap Rezoning Ordinance.
7. RECOMMENDS APPROVAL of a variance from the 15-acre minimum requirement of County Code section 84-66.602, to permit a residential and commercial mixed-used Planned Unit District (P-1) to be applied to the Saranap Village project site of approximately 4.6 acres. The variance shall expire or terminate only if:
 - a. No Development Agreement has been entered into, and no construction specified within the final development plan has commenced within five years after approval of the first (or only) final development plan within the District; or
 - b. A Development Agreement has been entered into, and no construction specified within the first (or only) final development plan approved within the District has occurred within the term of the Development Agreement.
8. RECOMMENDS APPROVAL of the following General Plan Amendment, County File # GP13-0003, based on the attached findings and subject to a condition requiring that conditions substantially similar to those in the attached Mitigation Monitoring and Reporting Program be incorporated into or made conditions of approval for all project-level approvals (i.e., project approvals that implement County File #GP 13-0003 and/or #RZ13-3224):
 - a. Amend the land use map of the Land Use Element to redesignate the Saranap Village site from Multiple Family Residential Medium Density (MM) and Commercial (CO), to Mixed-Use (M-15);
 - b. Amend the language of Land Use Element Section 3.7, subsection titled "Mixed Uses," by adding the following underlined text:

o. Saranap Village Mixed-Use (M-15)

The Saranap Village Mixed-Use designation applies to a group of parcels located at the intersection of Boulevard Way and Saranap Avenue in the

Saranap area. This Mixed-Use designation permits a mix of high-density residential uses (apartments and condominiums) and ground-level, neighborhood-serving retail uses. Up to 198 multiple-family residential units are allowed at a density of approximately 53.5 units per net acre. Up to approximately 21,522 square feet of neighborhood retail uses could be developed.

Public realm improvements associated with the Saranap Village Project include, but are not limited to, a roundabout at the intersection of Boulevard Way and Saranap Avenue; a median strip near the intersection of Boulevard Way and Flora Avenue; angled and parallel on-street parking; on-street bicycle route markings; landscaping and other streetscape amenities; and signage. Some of these public improvements extend beyond the limits of the M-15 designation;

- c. Amend the Roadway Network Plan of the Transportation and Circulation Element to reclassify the segment of Boulevard Way from Olympic Boulevard to the City/County border, from "Arterial" to "Collector"; and
- d. Amend the language of Implementation Measure 5-w, by adding the following underlined text:

Develop a parking program to maximize traffic flow on new and existing arterials, and collectors where appropriate, by reducing or eliminating on-street parking, providing off-street parking or parking bays to accommodate on-street parking, or enhancing transit or ridesharing services.

- 9. RECOMMENDS APPROVAL of the following Saranap Village Rezoning Ordinance, County File #RZ13-3224, based on all attached Findings, contingent upon approval of General Plan Amendment County File #GP13-0003 by the County Board of Supervisors:
 - a. Amend the zoning map to rezone the Saranap Village site from General Commercial (C), Multiple Family Residential (M-29), Planned Unit (P-1), Retail Business (R-B) and Neighborhood Business (N-B) districts, to a Planned Unit (P-1) district.
 - b. Mixed uses are permitted as follows: Up to 198 multi-family residential units, and up to approximately 21,525 square feet in gross leasable area of retail businesses and commercial uses listed below.
 - c. For purposes of this P-1 district, the following are permitted uses, provided that any such use that includes alcoholic beverage sales must comply with paragraphs d. and e below, as applicable:
 - 1) Grocery stores and other grocery sales;

- 2) Coffee shops;
- 3) Wine bars;
- 4) Restaurants;
- 5) Bakery goods shops;
- 6) Barber and beauty shops;
- 7) Delicatessen shops;
- 8) Drugstores;
- 9) Laundry and cleaning agencies and press shops;
- 10) Meat markets;
- 11) Variety stores;
- 12) Shoe repair shops;
- 13) Professional offices, including medical and dental offices;
- 14) Real estate offices;
- 15) All of the uses permitted in single-family and two-family residential districts;
- 16) Hotels and motels;
- 17) Banking institutions;
- 18) Neighborhood markets;
- 19) Up to six Take-Out Food establishments, but drive-through restaurants are not a permitted use;
- 20) Any other retail businesses, defined to mean the sale, barter, and exchange of retail goods, wares, merchandise, services, or other personal or real property or any interest in them for profit or livelihood.
- 21) Outdoor seating serving any permitted use or conditionally permitted use;

- 22) Up to three Exclusive Parking Facilities serving any permitted or conditionally permitted use;
 - 23) Temporary events (subject to applicable requirements for permits under Chapter 82-44 of this Code);
 - 24) Signs (subject only to compliance with a sign program approved by the Community Development Division of the Department of Conservation and Development).
- d. The following alcoholic beverage sales are allowed as permitted uses:
- 1) Full-service restaurants as defined in section 82-38.204(i);
 - 2) Three alcoholic beverage sales commercial activities as defined in section 82-38.204(c), notwithstanding Section 82-38.602, located anywhere within the District.
- e. For purposes of this P 1 District, the following uses are permitted with issuance of a land use permit:
- 1) All of the conditionally permitted uses in single-family and two-family residential districts after the granting of land use permits, provided that this paragraph shall not be construed to require a land use permit for any permitted use listed above;
 - 2) Alcoholic beverage sales commercial activities other than the permitted uses described above are permitted provided a land use permit is granted pursuant to Chapter 82-38 of this code.
 - 3) Take-Out Food Establishments other than the permitted uses described above are permitted provided a land use permit is granted pursuant to Chapter 88-16 of this code.
- f. Pending demolition, existing uses within this District may be continued, and existing buildings within this District may be used for any permitted or conditionally permitted use that would have been allowed under the zoning that applied before this P-1 District took effect, which includes a restaurant on Site B. In the discretion of the Zoning Administrator, and provided no substantial changes are made to the existing building on Site B, an interim restaurant use may be allowed in that building without a Development Plan.
- g. Parking for residential uses in this P-1 District shall be provided as follows: 1 parking space shall be provided for each studio unit, 1.5 parking spaces shall be provided for each one-bedroom unit, 2 parking spaces shall be provided for each unit of two bedrooms or more, and 0.25 spaces shall be provided per dwelling unit for guest

parking. Fractions of spaces shall be rounded up to the next whole number. The guest parking may include parking along the street frontage within this P-1 District.

- h. Parking for non-residential uses in this P-1 District shall be provided as follows: Grocery uses require 1 space per 200 SF of gross floor area. Restaurant, coffee shop, and wine bar uses require 1 space per 100 SF of gross floor area. Other retail uses require 1 space per 300 SF of gross floor area. Any other uses allowed in this District shall provide the number of spaces required by County Code section 82-16.406 as it exists on February 15, 2017, the date the Vesting Tentative Map application for the Saranap Village Project was complete. Up to 19 required non-residential spaces may be located along the street frontage within this P-1 District, subject to review of the CDD for consistency with the approved parking plan for the project.
- i. Parking for uses on Site B/B1 may be accommodated on Site A. Parking spaces with electric vehicle charging stations (EV spaces) shall be counted toward meeting parking requirements.
- j. Deviations in the requirements for design and layout of parking spaces may be approved by the Community Development Division of the Department of Conservation and Development (CDD) without need for a variance.
- k. The amount of in lieu inclusionary housing fees, which are required only for the residential units on Sites B/B1 and C, shall be paid prior to issuance of the first building permit for any portion of the for-sale residential development that is within Site B/B1 and C.
- l. Deviations from the County Code and Public Works Department design standards for storm drainage facilities may be granted with approval from the Director of the Public Works Department or designee.
- m. Height in this P-1 District is limited to the heights set forth in the maximum height zone map dated February 17, 2017 (Attachment 5 to the Planning Commission resolution recommending this rezoning ordinance). Heights of buildings shall be measured from the high and low points, and finished grade of each lot as reflected in the height zone map.
- n. Development in this District is subject to numerous conditions and requirements that are to be interpreted and applied by the Department of Conservation and Development or Public Works Department. Such decisions by staff or a director may be appealed by the applicant or referred by staff or a director to the Zoning Administrator. The Zoning Administrator's decision shall be subject to appeal as provided in Article 26-2.24 of this Code.

- a. This P-1 District shall apply to the approximately 4.6-acre area depicted in Exhibit-A to this ordinance (Attachment 4 to the Planning Commission Resolution recommending this rezoning ordinance), provided one or both of the following is in effect before or after the effective date of this rezoning ordinance:
 - 1) A variance is granted excepting the project from the 15-acre minimum requirement of County Code Section 84-66.602;
 - 2) County Code Section 84-66.602 is amended or superseded in a manner that allows application of a P-1 District to a mixed-use site of approximately 4.6 acres.
10. RECOMMENDS APPROVAL of the Preliminary and Final Development Plan, County File #DP13-3035, based on the attached findings, and subject to the conditions of approval recommended by this Commission.
11. RECOMMENDS APPROVAL of an ordinance authorizing a Development Agreement for the Saranap Village project, based on the attached findings, contingent upon General Plan Amendment GP#13-0003, and subject to a condition requiring that conditions substantially similar to those in the Mitigation Monitoring and Reporting Program be incorporated into or made conditions of approval for all project-level approvals (i.e., project approvals that implement County File #GP 13-0003 and/or #RZ13-3224). The recommended Development Agreement is attached to the staff report for the hearing at which this resolution is adopted.
12. RECOMMENDS addition of the following conditions of approval to those previously recommended by staff:
 - a. The applicant shall submit detailed plans for the Class III bike route that emphasize safety for bicyclists, to the County (DCD and PWD) for review and approval.
 - b. The Planning Commission recommends to the Board of Supervisors to consider the necessary steps to create a plan for the Saranap area through a community process.
 - c. The Planning Commission recommends that the County and the developer enter into an agreement for the public right-of-way and maintenance and access.
 - d. The Planning Commission recommends that the Department of Conservation and Development and the developer work together to determine if the parapet height on the top level of the Site-A parking garage needs to be increased to confirm that it complies with applicable safety standards.
13. RECOMMENDS adoption of additional Land Use Permit findings pertaining to the proposed Exclusive Parking Facility and Take-Out Food Establishment uses, as submitted to the Planning Commission by Community Development staff on June 28, 2017.

14. APPROVES the adoption of suggested modifications to the conditions of approval as provided within the correspondence dated June 28, 2017, as agreed between County staff and the applicant's representing counsel.

15. DIRECTS staff to file a Notice of Determination with the County Clerk.

BE IT FURTHER RESOLVED that the Commission adopts the attached findings, which state the reason for these actions, and imposes the attached conditions of approval of the Vesting Tentative Map for Condominium Purposes.

BE IT FURTHER RESOLVED that the secretary of the County Planning Commission shall respectively sign and attest the certified copy of this resolution and deliver the same to the County Board of Supervisors all in accordance with the Government Code of the State of California.

BE IT FURTHER RESOLVED that the approval was given by vote of the County Planning Commission on June 28, 2017, as follows:

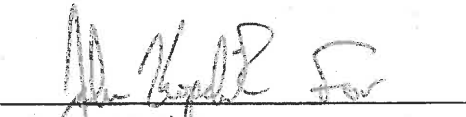
AYES: Commissioners - Clark, Terrell, Wright, and Swenson

NOES: Commissioners - Allen

ABSENT: Commissioners - Van Buskirk

ABSTAIN: Commissioners - None

Rand Swenson
Vice-Chair of the County Planning Commission
County of Contra Costa, State of California



Aruna M. Bhat
Secretary of the County Planning Commission
County of Contra Costa, State of California

Attachments:

1. Findings
2. MMRP
3. COAs
4. Area of GPA and Rezone
5. Height Zone Map
6. Summary Impact Table

ATTACHMENT 1: PROJECT FINDINGS

CEQA FINDINGS

1. The Contra Costa County Planning Commission adopts the following findings for certification of the EIR and approval of the 2017 Plan, a variant of the Mitigated Plan Alternative of the Saranap Village project, pursuant to the California Environmental Quality Act, California Public Resources Code, Sections 21000, et seq. the Guidelines for Implementation of CEQA, Title 14 of the California Code of Regulations, Sections 15000, et seq. ("CEQA Guidelines") and the County's CEQA Guidelines.
2. Pursuant to the Public Resources Code Section 21081 and CEQA Guidelines Section 15091, no public agency shall approve and carry out a project where an Environmental Impact Report (the "EIR") has been certified, which identifies one or more significant impacts on the environment that would occur if the project is approved, unless the public agency makes one or more of the following three findings for each of those significant impacts, accompanied by a brief explanation of the rationale for each finding:
 - a) Changes or alternations have been required in, or incorporated into, the project which mitigate or avoid the significant effect on the environment;
 - b) Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency;
 - c) Specific economic, legal, social, technological, or other consideration, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.
3. The Saranap Village Mixed-Use Project did not present any significant impacts that cannot be mitigated to a less-than-significant impact level.

PROJECT AND EIR FINDINGS

1. The 2017 Plan is a variant of the Mitigated Plan Alternative addressed in the EIR. The 2017 Plan includes 122 rental apartments on Site-A, 46 for sale condominiums on Site B, 6 condominiums on Site B1, and 24 condominiums on Site C.
2. The 2017 Plan includes approximately 21,522 square feet of gross leasable area (GLA) of commercial uses, located on Sites-A and -B/B1. The commercial uses are described in the rezoning ordinance and include a neighborhood grocery store (7,500 GLA) and retail

commercial (1,200 GLA) for Site-A, a restaurant (4,833 GLA) and retail commercial (2,403 GLA) for Site-B, and a coffee shop and retail commercial (5,586 GLA) for Site-B1.

3. Parking for the 2017 Plan will be provided via parking garages and on-street parking. The 2017 Plan includes angled, head-in street parking along the Boulevard Way and Saranap Avenue frontages, with approximately 68 spaces replacing the unmarked parallel street parking spaces that exist currently. The preliminary plans for the 2017 Plan include 268 spaces inside a garage at Site-A, 108 spaces inside a garage at Site-B/B1, and 48 spaces inside a garage at Site-C. Forty of the angled street parking spaces may be counted as residential guest parking, as allowed by current County Code. In addition, the rezoning ordinance for the 2017 Plan will allow 19 additional street spaces to be counted towards meeting commercial parking requirements. There will be approximately 9 additional street spaces that will not be counted toward meeting project requirements. On Site-B1, the 2017 Plan will displace 13 parking spaces currently used by the adjacent Boulevard Terrace condominiums, and replace those with 13 spaces located on the second floor of the new building on Site-B1.
4. Heights will be limited as reflected in the height zone map for the 2017 Plan, dated February 17, 2017 (Figure 4-1 in the Response to Comments Document/Final EIR, and Attachment 5 to the Planning Commission resolution adopting these findings).
5. The recreational facilities of the 2017 Plan include private recreational amenities and publically accessible plazas and streetscapes. On Site-A there will be a fitness room with exercise machines available to residents of Site A, a swimming pool (approx. 740ft²), and approximately four barbeque and/or lounge areas. A triangular-shaped plaza area will be constructed on the ground floor, adjacent to the grocery and other commercial uses that will be publically accessible and will accommodate outdoor seating areas.
6. On Site-B the recreational facilities include a pocket park, swimming pool (approx. 940ft²) and spa (approx. 40ft²) in the southern panhandle portion of the site that will be available to residents of Sites B and B1, and Site-C residents as determined by the property manager. There will also be an amenity area next to the pool, which will provide for pool- or patio-related activities. An outdoor landscaped area will be located on the second floor. A pedestrian access for Boulevard Terrace residents is provided between Sites-B and -B1. The large oak tree on Site-B will remain in place.
7. On Site C, recreational amenities include an open landscaped common area on the second floor, east of the units, with areas for barbeque, lounging, and other activities, open to residents of C.
8. Improvements in and around the public right of way will be extensive. The intersection of Saranap Avenue and Boulevard Way will be reconfigured into a roundabout, with distinctive art work in the center. The point at which Boulevard Way transitions from two lanes to four lanes will be shifted east of the project site, resulting in two lanes rather than four along the project frontage. Head-in parking will be provided along the project frontages and eastward

extending along Boulevard Way to Flora Avenue. Parking meters will be installed for on-street parking stalls, and the revenues of the parking program will be used to maintain the public streetscape. The 2017 Plan includes a median in Boulevard Way, on the western edge of its intersection with Flora Avenue. There will be streetscape and sidewalk improvements to the areas fronting Boulevard Way and Saranap Avenue. Various strips of land will be vacated or dedicated to create a continuous, smooth line at the edges of the rights of way.

9. Utility lines will be relocated as needed. Utility poles within the 2017 Plan site at locations immediately adjacent to 2017 Plan buildings will be eliminated and utilities undergrounded, as shown on the relevant plans.
10. The existing driveway for the Broadway Terrace condominiums will be relocated from Site-B1 to Site-C, between the Site-B1 and Site-C buildings. Existing bus stops are planned to be relocated to locations determined by the County in consultation with the Contra Costa County Transit Authority.
11. The 2017 Plan includes a General Plan Amendment to change the land use designation of the Project Site to Mixed Use (M-15) from Multiple-Family Residential, Medium Density (MM) and Commercial (CO). The General Plan Amendment, which is recommended by this Commission, will re-classify Boulevard Way from an arterial to a collector along its entire length, from Olympic Boulevard to Mt. Diablo Boulevard. The 2017 Plan also includes a rezoning, which is recommended by this Commission. The 2017 Plan will rezone the site to Planned Unit Development (P-1), allow certain interim uses to continue, allow for on-street parking spaces to be counted towards parking requirements, and allow for a P-1 district that is less than 15 acres. The 2017 Plan also includes a preliminary and final development plan, a vesting tentative subdivision map for condominium purposes, street vacations and dedications, and minor subsequent approvals that implement the 2017 Plan, such as building and grading permits.
12. The 2017 Plan is a variant of the Mitigated Plan Alternative described in the EIR. The 2017 Plan has 2 more residential units and 739 square feet less of commercial GLA than the Mitigated Plan Alternative. The 2017 Plan differs from the Mitigated Plan Alternative studied in the EIR in the following minor respects:

	# Units A	# Units B	# Units B1	# Units C	# Units Total	GLA A	GLA B	GLA B1	GLA Total	Approx. Total Mass (including garages)
Mitigated Plan Alternative	111	55	6	24	196	9,386±	7,288±	5,587±	22,261±	461,351±
2017 Plan	122	46	6	24	198	8,700±	7,236±	5,586±	21,522±	428,407±

13. The 2017 Plan achieves a slightly higher residential density than the Mitigated Plan Alternative, despite a smaller mass, by reducing commercial square footage slightly and by including smaller unit sizes than the Mitigated Plan Alternative.
14. The EIR studied a construction schedule for the Mitigated Plan Alternative in which site preparation and construction activities were estimated to occur for approximately 28 months. The 2017 Plan proposes a phased construction schedule similar to that of the MPA. Accordingly, impacts would be similar and similar mitigation measures would apply.
15. In studying the Mitigated Plan Alternative, the EIR studied construction and other impacts of a median in Boulevard Way at Flora Avenue. (See, RDEIR Figure 6.5-1) The 2017 Plan includes the same median and will produce the same impacts. However, the visual massing simulations of the Mitigated Plan Alternative in the RDEIR were prepared to address an earlier variant that included a traffic circle instead of the median at this location. (See, RDEIR Figures 6.5-9, 6.5-10). The visual impacts of the 2017 Plan will be similar, except that the 2017 Plan will present a smaller mass of building, and will not include the landscape-type tree or a traffic circle at Boulevard Way and Flora Avenue. The 2017 Plan includes a median at that location.
16. The County finds that the differences between the Mitigated Plan Alternative and the 2017 Plan are immaterial to the environmental analysis, and do not affect the determination whether impacts will be significant. The footprints of the Mitigated Plan Alternative and the 2017 Plan are effectively the same, meaning there is no difference in footprint-based impacts. The other differences in operational and construction aspects affect only a very small percentage of the 2017 Plan and Mitigated Plan Alternative. Also, the EIR demonstrates that most impacts could be increased up to the level proposed by the Original Project, and still not result in significant impacts. Aesthetic impacts of the 2017 Plan will be less than those of the Mitigated Plan Alternative, because the 2017 Plan has less mass and height. Accordingly, the County concludes that the less-than-significant impact conclusions that apply to the Mitigated Plan Alternative (after mitigation) also apply to the 2017 Plan (after mitigation).
17. The EIR addresses tree impacts. The EIR states that 64 trees (some of which are protected) will be removed. A more detailed review of the arborist report indicates the following. The study area for the arborist report addresses 73 trees. The original Project proposes to remove 63 trees, to relocate Tree #21, and to retain Tree #65. The MPA proposes to remove 63 trees, and to retain both Tree #21 and Tree #65 in place.
18. The 2017 Plan would entail essentially the same tree removal and other tree impacts as the MPA. 63 trees will be removed, and two (Trees #21 and #65) will be preserved and may require work inside their dripline. However, because final development plans have not been drawn up, it is possible that additional unprotected trees may be subject to removal or work within the dripline. The EIR is adequate for an assessment of the tree impacts of the 2017 Plan. The 2017 Plan is subject to the requirements of the County's tree ordinance. Accordingly, impact 4.4-2, regarding local ordinances protecting biological resources such as tree ordinances,

remains less than significant. Impact 4.4-1, regarding effects on sensitive species, remains less than significant after mitigation. The 2017 Plan would have the same impacts relating to nesting birds and roosting bats as the original Project; namely, that disturbance of trees could interfere with active nests and roosting bats. The 2017 Plan is subject to the same mitigation measures as the Original Project, requiring pre-construction surveys intended to avoid these impacts. These mitigation measures ensure that impact 4.4-1 remains less than significant after mitigation.

19. The Commission finds that the EIR has been completed in compliance with CEQA, the CEQA Guidelines and all County requirements. The Commission finds that its decision-making bodies were presented with the EIR, which reviewed and considered the information contained in the EIR prior to approving or recommending approval of the 2017 Plan. The Commission finds that the EIR reflects the County's and this decision-making body's independent judgment and analysis.
20. In making its determination to certify the EIR and to approve the 2017 Plan, the Commission recognizes that a range of technical and scientific opinion exists with respect to certain environmental issues. The Commission has acquired an understanding of the range of this technical and scientific opinion by its review of the EIR, testimony, letters, and reports, and its own experience and expertise in these environmental issues. These materials include conflicting expert opinions, and conflicting statements of facts. The Commission has reviewed and considered, as a whole, the evidence and analysis presented in the EIR, and the reports prepared by the experts who prepared the EIR, by the County's consultants, and by staff, addressing those comments. The Commission has gained a comprehensive and well-rounded understanding of the environmental issues presented by the project and each alternative, including the MPA and the 2017 Plan. In turn, this understanding has enabled the Commission to make its decisions after weighing and considering the various viewpoints on these important issues, and has made determinations of significant effects based on substantial evidence, not public controversy or speculation. The Commission accordingly certifies that its findings are based on all of the evidence contained in the EIR, as well as the evidence and other information in the record addressing the environmental impacts of the 2017 Plan.
21. The EIR evaluates a reasonable range of alternatives that entail alternative project densities, and alternative development footprints. This range is sufficient to permit informed decision making and public participation. The County adopts the EIR's conclusions regarding the range of alternatives, and alternatives dismissed from further consideration. The County recognizes that commenters suggested additional alternatives, and stated that additional detail should be provided for the alternatives that were studied. None of the requested information is necessary to ensure that a reasonable range was studied at a level of detail sufficient to permit informed decision making and public participation regarding the comparative environmental impacts of the project and alternatives, and regarding whether any would cause significant or less-than-significant impacts.

ABSENCE OF SIGNIFICANT NEW INFORMATION

1. After the DEIR and RDEIR were published, the County received additional information that is not included in the DEIR or RDEIR. The County received information from the public, other agencies and the applicant that addresses environmental issues. County staff and consultants have also presented information since that time. Some of this information was contained in comments submitted on the DEIR and RDEIR, and in responses to those comments contained in the Final EIR. Additional information was submitted in connection with submittal and review of the 2017 Plan. Other information was presented at or before public hearings on the project and alternatives. The EIR incorporates additions, clarifications, modifications, and other changes, in response to comments and as initiated by County Staff. Additional information was also submitted that is not contained in the EIR.
2. The Commission has considered the opinions of other agencies and members of the public, including opinions that disagree with some of the analysis and conclusions in the EIR. The EIR is incorporated into these findings by reference. The County ratifies, adopts, and incorporates the analysis and explanation in the EIR, and ratifies, adopts, and incorporates in these findings the determinations and conclusions of the EIR relating to environmental impacts and mitigation measures.
3. Based on the foregoing, and having reviewed all the information in the record of proceedings the Commission finds this additional information does not constitute significant new information requiring another recirculation. The additional information clarifies or amplifies an adequate EIR. Specifically, the additional information, including the changes described above, does not show any of the following triggers identified in CEQA Guideline 15088.5:
 - a. A new significant environmental impact that would result from the 2017 Plan (or any alternative) or from a new mitigation measure proposed to be implemented.
 - b. A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.
 - c. A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project (or an alternative), but the project's proponents decline to adopt it.
 - d. The DEIR or RDEIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

IMPACTS, MITIGATION MEASURES, AND MMRP

1. Attachment 6 to the resolution to which these findings are attached summarizes the environmental determinations about the 2017 Plan's significant impacts before and after mitigation. Attachment 6 is incorporated into these findings by reference. Attachment 6

addresses both the project-specific impacts of the 2017 Plan, and the contribution of the 2017 Plan toward cumulative impacts. This attachment does not attempt to describe the full analysis of each environmental impact. Instead, Attachment 6 provides a summary description of each significant impact, describes the applicable mitigation measures identified in the EIR and adopted by the County, and states the County's findings on the significance of each impact after imposition of the adopted mitigation measures. A full explanation of these environmental findings and conclusions can be found in the EIR, as supplemented and explained in staff reports and materials presented by the applicant.

2. The Commission adopts, and incorporates as conditions of approval of the 2017 Plan, the mitigation measures set forth in the Mitigation Monitoring and Reporting Program (MMRP) attached to these findings as Attachment 2, insofar as it pertains to the MPA, and incorporates the MMRP by reference. The Commission adopts this MMRP insofar as it pertains to the MPA, and finds that the mitigation measures will reduce or avoid the potentially significant and significant impacts of the 2017 Plan. In adopting these mitigation measures, the Commission intends to adopt each of the mitigation measures recommended for approval by the EIR in connection with the MPA. Accordingly, in the event a mitigation measure recommended in the EIR has inadvertently been omitted from Attachment 2, such mitigation measure is adopted and incorporated in these findings by reference.
3. The mitigation measures are being made enforceable as conditions of approval. Accordingly, changes or alterations have been required in, or incorporated into, the 2017 Plan that avoid or substantially lessen the significant environmental effects identified in the EIR. The 2017 Plan has no significant and unavoidable impacts, and therefore no alternative would reduce or avoid significant and unavoidable impacts.
4. Various measures were suggested by commenters as proposed additional mitigation measures or modifications to the mitigation measures identified by the EIR. Other comments requested minor modifications in mitigation measures identified in the EIR, requested mitigation measures for impacts that were less than significant, or requested additional mitigation measures for impacts that were already reduced to levels less than significant by the proposed mitigation measures. These requests are declined as unnecessary. The Commission adopts the reasons set forth in the responses to comments contained in the EIR as its grounds for rejecting adoption of these mitigation measures.
5. The County determines to impose mitigation measures, rather than adopt a reduced development alternative, for the following reasons. The 2017 Plan is itself a reduced development alternative that substantially reduces the height, mass and corresponding impacts of the Original Project. The 2017 Plan is compatible with and implements the goals, objectives, policies, implementation measures, and programs specified in the General Plan. The 2017 Plan will implement and promote General Plan provisions that encourage infill and redevelopment of underused sites in areas served by adequate infrastructure and services, near mass transit, freeways, and urban centers; locating multi-family housing in proximity to transit corridors; siting shopping areas and local shopping facilities in locations that

accommodate the requirements of residential neighborhoods; minimizing travel times; and reducing energy costs. The 2017 Plan comprises redevelopment of an underused site that currently houses outdated facilities, which results in an inefficient land use pattern. Accordingly, it will result in a more efficient use of land located inside the Urban Limit Line. The 2017 Plan will help reduce vehicle miles travelled, in that the inclusion of a grocery facility will allow Saranap residents to travel shorter distances for groceries. Imposing mitigation measures will reduce all impacts to less than significant levels, while allowing for a project that will more fully promote and achieve these goals and desired effects. The 2017 Plan has no significant and unavoidable impacts, and therefore no alternative would reduce or avoid significant and unavoidable impacts. For that reason, all alternatives are rejected.

6. The County finds the 2017 Plan will have no significant growth-inducing impacts, based upon the evidence and for the reasons stated in the EIR. With respect to the potential for significant and irreversible environmental effects of the 2017 Plan, the County also adopts the conclusions of the EIR, based upon the evidence and reasoning it reflects. The 2017 Plan will require the use of energy, including energy produced from non-renewable resources, but will also incorporate energy-conserving features and be located in a transit-friendly area, bounded by two freeways and an arterial (which will be reclassified as a collector), and within one mile of a BART station. The 2017 Plan will commit resources to the buildings and other facilities that comprise the 2017 Plan, for the life of the 2017 Plan, but will also incorporate and generate recycled and recyclable materials.

THE ADMINISTRATIVE RECORD

1. Various documents and other materials constitute the record upon which the Commission bases these findings and the approvals contained herein. These findings cite specific pieces of evidence, but none of the Commission's findings are based solely only on those pieces of evidence. These findings are adopted based upon the entire record, and the Commissions intends to rely upon all supporting evidence in the record for each of its findings.
2. The documents in the record include all items referenced in Public Resources Code section 21167.6(e):
 - a. All project application materials.
 - b. All staff reports and related documents prepared by the respondent public agency with respect to its compliance with the substantive and procedural requirements of this division and with respect to the action on the project.
 - c. All staff reports and related documents prepared by the respondent public agency and written testimony or documents submitted by any person relevant to any findings or

statement of overriding considerations adopted by the respondent agency pursuant to this division.

- d. Any transcript or minutes of the proceedings at which the decision-making body of the respondent public agency heard testimony on, or considered any environmental document on, the project, and any transcript or minutes of proceedings before any advisory body to the respondent public agency that were presented to the decision-making body prior to action on the environmental documents or on the project.
 - e. All notices issued by the respondent public agency to comply with this division or with any other law governing the processing and approval of the project.
 - f. All written comments received in response to, or in connection with, environmental documents prepared for the project, including responses to the notice of preparation.
 - g. All written evidence or correspondence submitted to, or transferred from, the respondent public agency with respect to compliance with this division or with respect to the project.
 - h. Any proposed decisions or findings submitted to the decision-making body of the respondent public agency by its staff, or the project proponent, project opponents, or other persons.
 - i. The documentation of the final public agency decision, including the final environmental impact report, mitigated negative declaration, or negative declaration, and all documents, in addition to those referenced in paragraph (c), cited or relied on in the findings or in a statement of overriding considerations adopted pursuant to this division.
 - j. Any other written materials relevant to the respondent public agency's compliance with this division or to its decision on the merits of the project, including the initial study, any drafts of any environmental document, or portions thereof, that have been released for public review, and copies of studies or other documents relied upon in any environmental document prepared for the project and either made available to the public during the public review period or included in the respondent public agency's files on the project, and all internal agency communications, including staff notes and memoranda related to the project or to compliance with this division.
 - k. The full written record before any inferior administrative decision-making body whose decision was appealed to a superior administrative decision-making body prior to the filing of litigation.
3. The record also includes documents cited or relied upon in the resolutions and ordinances that reflect approval of the 2017 Plan. The record includes the County General Plan, the County Code and all other relevant plans, policies and ordinances.

4. The location and custodian of the documents and materials that comprise the record is Contra Costa County, Department of Conservation and Development, Community Development Division, at, 30 Muir Road, Martinez, CA 94553, Attn: Sean Tully (sean.tully@dcd.cccounty.us).

GENERAL PLAN AND COUNTY CODE CONSISTENCY

Urban Limit Line and 65/35 Land Preservation Standard

1. The 2017 Plan site is located inside the County's Urban Limit Line, and therefore may be developed with "urban" uses, as defined in the County General Plan.
2. The 2017 Plan will not cause a violation of the 65/35 Land Preservation Standard (the "65/35 Standard"), originally approved by County voters through adoption of Measure C-1990, and reaffirmed through adoption of Measure L-2006. Under the 65/35 Standard, no more than 35 percent of the land in the County may be developed with urban uses and at least 65 percent of the land must be preserved for non-urban uses such as agriculture, open space, parks, wetlands, etc. The existing land use designations for the site, Commercial (CO) and Multi-Family Residential Medium-Density (MM), are urban land use designations. The site currently contains no non-urban land use designations. The proposed Mixed-Use land use designation is an urban designation, meaning there will be no change in the percentage of land inside the Urban Limit Line devoted to urban and non-urban uses.
3. The General Plan is comprised of numerous goals, objectives, policies, principles, implementation measures, programs, and performance standards (collectively "components"). At times these components necessarily compete with each other. For example, the General Plan promotes managed growth while simultaneously promoting protection of undeveloped land. As part of approving the 2017 Plan, the Planning Commission has considered all applicable General Plan components and the extent to which the Project conforms to each.
4. The General Plan comprises an integrated, internally consistent and compatible statement of policies for the County. The 2017 Plan is consistent with, in harmony with, and implements the General Plan and zoning, as amended and enacted by the 2017 Plan, as well as all other applicable County plans and regulations. The County adopts and incorporates the analysis of consistency contained in the EIR and in staff reports, as supplemented and clarified in these findings. Nothing in the General Plan Amendment included in the 2017 Plan will cause the General Plan to become internally inconsistent. The Planning Commission adopts and endorses the conclusions, reasoning, and findings of the EIR and staff reports.

Growth Management Element Performance Standards

The Commission has fully considered the 2017 Plan's compliance with the Growth Management Element policies and the performance standards for public services and facilities. The 2017 Plan

is consistent with the Growth Management Element policies and performance standards, as stated in the following paragraphs, in the EIR, and in staff reports.

1. Traffic: The County's Growth Management Plan (as part of voter-approved Measure C-1988 and Measure J-2004) establishes that no traffic study is required when a project would add fewer than 100 vehicle trips during the peak hour of adjacent street traffic. However, should a project be expected to generate more than 100 peak hour trips a full transportation impact analysis would be required. A traffic impact analysis (TIA) was prepared for the project and for the MPA to evaluate the potential construction- and operation-phase impacts on the neighborhood. In summary, the TIA found that the project and the MPA would result in only minor alterations in traffic volumes at area intersections and on area roadways, emergency access, and existing transit facilities; and thus no new or expanded traffic control improvements would be required for those traffic elements. The TIA also found that the design features of the project and the MPA would avoid significant traffic hazards. These consist of improvements such as the installation of a roundabout for traffic calming, installation of shared bicycle lane pavement markings, and the repair of roadway damages caused by construction; and do not consist of a need for large-scale new or expanded traffic infrastructure. The 2017 Plan would generate traffic that is essentially the same as that which would be generated by the MPA.
2. Water: The 2017 Plan site is located within the service area of the East Bay Municipal Utility District (EBMUD), who currently provides public water services to the existing land uses at the site. Analysis of the project found that the development will generate an increase in water supply demand beyond that of the existing uses at the project site. However, EBMUD has provided a "Will Serve" letter indicating that water will be available for the project as its analysis of the increase in water demand created by the project is of a scale that can be accommodated by its existing infrastructure; contingent upon the project's compliance with EBMUD's regulations governing water service and Schedule of Rates and Charges. The 2017 Plan is smaller, and therefore has a smaller water demand, than the project EBMUD originally reviewed.
3. Sanitary Sewer: The 2017 Plan site is located within the service area of the Central Contra Costa Sanitary District (CCCSD), which currently provides public sewer services to the existing land uses located at the site. Analysis of the project found that the development will generate an increase in wastewater collection demand beyond that which exists for the current land uses. Based on its Collection System Master Plan Update (2010), CCCSD identifies future development in the Saranap area as infill, and has determined that existing infrastructure is sufficient to support infill development through the year 2040. Furthermore, the CCCSD's System Master Plan indicates that there are no deficiencies in the existing collection system between the project site and the treatment plant. The 2017 Plan is smaller, and therefore has a smaller wastewater demand, than the project originally proposed.
4. Fire Protection and Emergency Services: The 2017 Plan site is within the service area of the Contra Costa County Fire Protection District (CCCFPD), which currently provides fire protection

services to the existing land uses located at the site. Analysis of the project found that the development will result in an incremental increase in the number of emergency medical calls at the project site. However, the increase in residential units caused by the 2017 Plan would be less than one percent of the CCCFPD's service population. Based on the minimal increase in the number of medical calls, there would be no need for new or physically altered fire protection facilities because of the 2017 Plan. Furthermore, due to the infill nature of the 2017 Plan, the proposed development would not impact the County's ability to maintain the standard of having a fire station located within one and one-half miles of development in urban, suburban, and central business district areas. The closest CCCFPD facility to the project site is Station 3, which is anticipated to be the primary servicing station and is located at 1520 Rossmoor Parkway.

5. Public Protection: The 2017 Plan site is within the service area of the Contra Costa County Office of the Sheriff, which currently provides law enforcement services to the existing land uses located at the site. Analysis of the project originally proposed found that the development would result in an increase in demand for police services. However, increased demand created by the net decrease in commercial square footage and increase in residential units would not be substantial, as the increase in residential units would be less than one percent of the Sheriff's Office current service population. The 2017 Plan proposes less development than the original project. Therefore, the development will not affect service ratios or response times, or increase the use of existing police facilities such that substantial physical deterioration, alteration, or expansion of Sheriff Facilities would be required. Furthermore, the 2017 Plan will not result in a population increase of 1,000 or more people beyond the number of residents residing in the existing 25 residential units. Therefore, the 2017 Plan will not impair the County's ability to maintain the standard of having 155 square feet of Sheriff Station area and support facilities for every 1,000 members of the population. In addition, a portion of the 2017 Plan will be required to annex into or establish a special tax district to fund police services.
6. Parks and Recreation: The 2017 Plan will result in an increase in population in the area that will incrementally increase the frequency in which existing parks and recreation areas in the surrounding neighborhood are used, but not to an extent where new or expanded facilities are required. The 2017 Plan will not result in a population increase of 1,000 or more people beyond the number of residents residing in the existing 25 residential units, and thus the development will not impede the County's ability to maintain the standard of having 3 acres of neighborhood parks per 1,000 members of the population. In addition, the 2017 Plan will pay substantial park impact fees.
7. Flood Control and Drainage: The 2017 Plan site is not located within an area of the County that has been identified as a 100-year flood-plain, as determined by the Federal Emergency Management Agency (FEMA). Furthermore, no element of the 2017 Plan requires removal or alteration of any existing dam, levee, or other flood control infrastructure located within the County. The 2017 Plan has been reviewed by the County Public Works Department, and will be required to comply with Provision C.3 of the Municipal Regional Stormwater Permit. The

combination of the 2017 Plan's compliance with the Hydrological and Water Quality mitigations described in the FEIR, the 2017 Plan's compliance with the added drainage conditions of approval from the County Public Works Department, and the installation of on-site drainage improvements as shown on the Project plans will ensure that on-site and off-site drainage is adequate.

Land Use Element Consistency

1. In particular, the 2017 Plan will implement and promote the following Land Use Element goals, which are stated without any intent to diminish or ignore other provisions that are implemented and promoted by the General Plan:
 - a. To coordinate land use with circulation, development of other infrastructure facilities, and protection of agriculture and open space, and to allow growth and the maintenance of the County's quality of life. In such an environment all residential, commercial, industrial, recreational and agricultural activities may take place in safety, harmony, and to mutual advantage. (Goal 3-A)
 - b. To provide opportunities for increasing the participation of Contra Costa County in the economic and cultural growth of the region, and to contribute to, as well as benefit from, the continued growth in importance of the Bay Region and the State of California. (Goal 3-B)
 - c. To encourage aesthetically and functionally compatible development which reinforces the physical character and desired images of the County. (Goal 3-C)
 - d. To provide for a range and distribution of land uses that serve all social and economic segments of the County and its subregions. (Goal 3-D)
 - e. To recognize and support existing land use densities in most communities, while encouraging higher densities in appropriate areas, such as near major transportation hubs and job centers. (Goal 3-E)
 - f. To permit urban development only in locations of the County within identified outer boundaries of urban development where public service delivery systems that meet applicable performance standards are provided or committed. (Goal 3-F)
 - g. To encourage a development pattern that promotes the individuality and unique character of each community in the County. (Goal 3-J)
2. The 2017 Plan is compatible with and implements the goals, objectives, policies, implementation measures, and programs specified in the General Plan. The 2017 Plan will implement and promote General Plan provisions that encourage infill and redevelopment of underused sites in areas served by adequate infrastructure and services, near mass transit,

freeways, and urban centers; locating multi-family housing in proximity to transit corridors; siting shopping areas and local shopping facilities in locations that accommodate the requirements of residential neighborhoods; minimizing travel times; and reducing energy costs. The 2017 Plan comprises redevelopment of an underused site that currently houses outdated facilities, which results in an inefficient land use pattern. Accordingly, it will result in a more efficient use of land located inside the Urban Limit Line.

3. The 2017 Plan will promote a vibrant combination of residential and commercial uses, in an area that is already well-served by public infrastructure and services. The area is bordered by two freeways and is close to Olympic Boulevard and Pleasant Hill Road, all of which are major transportation corridors. The site itself is just over one mile from the Walnut Creek BART station. The site has proximity to Walnut Creek and Lafayette, as well as the commercial services in the commercial corridor along Boulevard Way.
4. The 2017 Plan will constitute a residential environment of sustained desirability and stability, and will be in harmony with the character of the surrounding neighborhood and community. Mitigations have been imposed to ensure that the mass and height of the buildings will create a sense of presence and will not significantly degrade the visual character of the area. Design requirements have been imposed to ensure that the aesthetic aspects of the buildings will upgrade rather than degrade the existing architectural character of the site. As explained in the EIR, the project is surrounded by an eclectic mix of uses, land use designations that are urban in nature, and some buildings and sites that are outdated in appearance. The uses proposed by the 2017 Plan are similar to the land uses allowed under pre-project General Plan and zoning provisions. The 2017 Plan will bring an additional sense of presence and identity to the neighborhood, which will promote sustained desirability and stability.
5. The financial impacts of the 2017 Plan have been determined during the project review process based upon the materials in the record, including the parking meter revenue program. The 2017 Plan is consistent with the goals, policies, implementation measures, and programs of the Growth Management Element as stated above. The 2017 Plan must meet standard requirements and conditions that assure adequate infrastructure and services will be available. Accordingly, the 2017 Plan complies Public Facility and Services Element Policy 7-4.

Transportation and Circulation Element Consistency

6. The Land Use Element will remain correlated with the Transportation and Circulation element. The transportation analysis in the EIR demonstrates that the ability of transportation facilities to accommodate projected development will be unaffected by the 2017 Plan. The physical changes to Boulevard Way will be limited to a short segment, will include traffic calming attributes and angled parking that replaces parallel street parking, and will move the point at which Boulevard Way transitions from two lanes to four lanes. The reclassification of all of Boulevard Way will reflect the existing characteristics of the rest of that roadway, as well as the 2017 Plan, and will implement the Board's decision in Resolution 2010/261 to rescind the prior, four-lane precise alignment for much of Boulevard Way. The reclassification, by itself,

will not have any physical impacts. The transportation effects of the 2017 Plan are consistent with the urban designation of the site adopted by the voters in connection with the transportation capacity levels of service established by Measure C-1988, as stated in the General Plan. The 2017 Plan will implement and promote the County's "Complete Streets" policies, which comprise a fundamental concept of the Circulation Element, and under which roadways are designed and operated to accommodate safe access for all users.

7. The Commission has considered the Project's compliance with the traffic service objectives of Measure C-1988 and Measure J - 2004, the Contra Costa Transportation Improvement and Growth Management Program and related Contra Costa Transportation Authority (CCTA) resolutions. Measure C-1988 established a Growth Management Program, "to assure that future residential, business and commercial growth pays for the facilities required to meet the demands resulting from that growth." The Growth Management Program requires the County to adopt Traffic Level of Service (LOS) Standards keyed to types of land use, and to comply with the adopted standards; to "adopt a development mitigation program to ensure that new growth is paying its share of the costs associated with that growth;" to participate in the forum established by the Authority to cooperate in easing cumulative traffic impacts, using the CCTA computer model; and to develop an implementation program that creates housing opportunities for all income levels. Measure J- 2004 amended Measure C-1988 to continue the transportation sales tax to fund transportation projects within the County. The County has complied with all these requirements. Most important, the County is achieving Measure C-1988 and Measure J- 2004's overarching goal that development pay its own way.

Housing Element Consistency

8. The Commission has considered the effects of the 2017 Plan on the housing needs of the region and balanced those needs against the public service needs of County residents and available resources. As noted in the EIR, a mixed-use project that includes a substantial amount of residential development will result in the construction of housing in an urban environment that is experiencing a housing shortage as identified in the County's Housing Element. Through payment of in lieu housing fees, the 2017 Plan will promote affordable housing, thus implementing goals and policies of the Housing Element. The 2017 Plan will also implement Housing Element policy 3.2, to encourage housing in close proximity to public transportation and services.

Consistency Between the General Plan and Zoning

9. The uses allowed by the 2017 Plan are generally of the same type allowed under the current land use designations and zoning; the 2017 Plan increases the density and allows uses that are permitted within the various zoning districts currently applicable to the property to be mixed within a single project site and a single Planned Unit District (P-1).
10. The Rezoning included in the 2017 Plan is consistent with the General Plan, as amended by the 2017 Plan. The land uses authorized by the County's zoning, as amended by the 2017

Plan, are compatible with the objectives, policies, general land uses, and programs specified in the General Plan. The rezoning of the 2017 Plan site is contingent upon the approval of General Plan Amendment by the County Board of Supervisors. The (P-1) District will be limited to the boundaries of the 2017 Plan site, and has been designed to function in harmony with the land uses permitted within the Project-specific mixed-use General Plan designation for the site. The P-1 District and new mixed-use General Plan designation have been created concurrently, and are based on the same development project. The policies and standards contained within will be based on identical design, land use, and environmental characteristics. Therefore, it is clear that the proposed P-1 will be substantially compliant with the associated mixed-use General Plan designation.

11. The vesting tentative subdivision map for condominium purposes is compatible with the objectives, policies, general land uses, and programs specified in the General Plan. All other County approvals for the 2017 Plan will implement the General Plan and the zoning, and will be consistent with both.
12. Chapter 82-22 of the County Code addresses childcare requirements in the context of applications for land use entitlements. The Applicant has complied with that chapter by submitting a survey and assessment of the estimated childcare needs caused by the project, with an analysis showing how the child-care needs resulting from the project are to be mitigated. The Applicant has demonstrated that the existing childcare facilities in the Saranap area are sufficient to accommodate the anticipated needs of the non-exempt portions of the 2017 Plan, and accordingly has satisfied all applicable requirements of Chapter 82-22.

GENERAL PLAN MAP AND TEXT AMENDMENT FINDINGS

13. Adoption of the General Plan Amendment associated with the 2017 Plan includes: (a) amending the Land Use Element Map to redesignate the subject area (shown in Attachment 4 to the Resolution to which these findings are attached) from a combination of Multiple-Family Residential – Medium Density (MM) and Commercial (CO) to Mixed-Use (M-15); (b) amending the Land Use Element text to add a description of the mixed-use designation applicable to the 2017 Plan; (c) amending the Roadway Network Plan, a component of the Transportation and Circulation Element, to change the classification of Boulevard Way from “arterial” to “collector”; and (d) adopting a conforming text amendment to Implementation Measure 5-w to refer to development of a parking program to maximize traffic flow on new and existing arterials, and collectors, by reducing or eliminating on-street parking, only “where appropriate.”
14. An amendment to the General Plan is appropriate and warranted in connection with the 2017 Plan. The General Plan Amendment will promote public health, safety, and welfare, and provide benefits beyond those that could be achieved under the current General Plan. A mixed-use designation will allow the 2017 Plan to implement and promote the General Plan policies and provisions noted above. The extensive public improvements to the right-of-way will bring aesthetic, transportation, and safety benefits to the area. The 2017 Plan will achieve

project objectives to create an enhanced sense of identity and a neighborhood focal point; avoid creation of small, isolated areas of redevelopment; achieve the mass necessary to support pedestrian-friendly streetscape improvements; and provide the appropriate mix of residential and commercial uses necessary to make the commercial uses successful, thereby providing neighborhood services for Project residents and others. These Project objectives also constitute public benefits. The 2017 Plan parking meter program will generate revenues to maintain roadway infrastructure, street amenities, and publically accessible areas through the Project site. Any excess parking meter funds will be used as determined by the County in its discretion, which creates the potential for additional financial benefits to the County. The 2017 Plan will upgrade an outdated area, and take advantage of its infill location near prime transportation corridors and near urban centers in Walnut Creek and Lafayette. The 2017 Plan will not cause any significant and unavoidable environmental impacts. For the foregoing reasons, the Planning Commission finds, pursuant to Government Code section 65358, that the General Plan Amendment is in the public interest.

15. The reclassification of Boulevard Way from "arterial" to "collector" will (in addition to reflecting the Project's proposed improvements to a segment of Boulevard Way) better reflect the existing circumstances along its entire length, bringing the General Plan classification into better conformance with existing uses.
16. The County and the Applicant have complied with all procedural and substantive requirements for this General Plan Amendment. The County has referred the General Plan Amendment to all relevant agencies pursuant to sections 65350 and following of the Government Code. The County has addressed coordination with water supply agencies, and acknowledged that the East Bay Municipal Utility District provided a "Will Serve" Letter for the Project on January 22, 2014, which states that water service will be available to the project site contingent upon compliance with the District's regulations governing water service and Schedule of Rates and Charges. This General Plan Amendment has been reviewed by the Planning Commission, which is recommending approval to the Board of Supervisors.

REZONING AND FINAL DEVELOPMENT PLAN FINDINGS

Rezoning the Site to Planned Unit District (P-1) will promote public health, safety and welfare, and provide benefits beyond those that could be achieved under the current zoning. The 2017 Plan will provide the benefits noted above in connection with the General Plan Amendment. The disparate uses allowed by the separate zoning districts that currently apply to the site would enable less desirable commercial uses that would not create the master planned community envisioned by the 2017 Plan. Rezoning the 2017 Plan Site will also ensure that zoning is brought into consistency with the General Plan, and eliminate the inconsistencies in land uses and maximum building heights that exist between the current zoning and the current General Plan.

The County and the Applicant have complied with all procedural and substantive requirements for rezoning the site to P-1, and adopting a preliminary and final development plan. These requirements include applicable provisions of those set forth in Government Code sections 65854

to 65857 and Chapter 84-66 of the County Code. Notices have been provided as explained above. This rezoning ordinance and development plan have been reviewed by the Planning Commission, which is recommending approval to the Board of Supervisors.

Rezoning Findings

1. *Required Finding: The change proposed will substantially comply with the General Plan.*

Project Finding: The proposed development is consistent with the General Plan as explained above in the "Consistency Between the General Plan and Zoning" section of these findings.

2. *Required Finding: The uses authorized or proposed in the land use district are compatible within the district, and to uses authorized in adjacent districts.*

Project Finding: The residential portion of the 2017 Plan will constitute a residential environment of sustained desirability and stability and will be in harmony with the character of the surrounding neighborhood and community. The subject P-1 district will allow for any land use that has been permitted by an approved development plan and is consistent with the General Plan. The apartment, condominium, townhouse, and commercial land use elements of the development are consistent with the residential and commercial uses permitted within the new mixed-use General Plan designation (M-15); and will be substantially similar, in type, to the land uses that would be allowed within the existing designations within the boundaries of the 2017 Plan site. Furthermore, the 2017 Plan site is surrounded by various residential (R-10, M-29, D-1, and P-1) and commercial (N-B, R-B, and C) zoning districts which have fostered a wide range of land uses within the surrounding neighborhood. In summary, the surrounding area consists of single- and multi-family residential, commercial, office, warehouse, and service commercial land uses. As proposed, the development will consist only of multi-family residential and commercial land uses, which will be consistent with the existing trend of residential and commercial uses found in the surrounding area. Furthermore, when constructed the project will include all the fundamental elements such as public water, sanitary services, fire protection infrastructure, a storm drainage system, solid waste collection, and basic utilities (i.e. gas, electricity) needed to safely operate a development of this size. In addition, the development will include amenities such as an onsite parking garage, private pools, gym, clubroom, and market that make for a "complete" mixed-use development. The development has been designed in a manner that utilizes the resources of the surrounding development, while also effectively utilizing the project site. There is an increasing and continuous demand for additional housing stock within Contra Costa County, which the project will contribute towards reducing. Furthermore, the development will encourage

neighborhood-serving commercial tenants whose services will be of use to both residents of the Saranap Village development and the surrounding community.

3. *Required Finding: Community need has been demonstrated for the use proposed, but this does not require demonstration of future financial success.*

Project Finding: The neighborhood currently lacks a grocery store, and is underserved by restaurants, coffee shops and other commercial services. The portion of the Saranap community surrounding the project site consists of older commercial and multi-family developments that were primarily developed in the 1950s and 1960s when Boulevard Way was planned as a major transportation corridor for the region. However, the potential for the commercial uses in the area being patronized by travelers passing through the Saranap area diminished with the construction of Highway 24. This has resulted in various underutilized parcels, outdated or incompatible land uses, and a neighborhood without a focal point.

Planned-Unit District Findings

1. *Required Finding: The applicant intends to start construction within two and one-half years from effective date of zoning change and plan approval.*

Project Finding: The project design is of an independent nature, and does not rely on the completion of any pending project or approval of any future development projects for its vitality. In addition, the development is located in an urban area of the County, and thus all of the required utilities, infrastructure, and services needed to support the project already exist in the area and are available at the project site. Representatives of the applicant have publicly stated an intent to start construction soon, and that only extreme circumstances such as a market collapse would interfere with those plans. Therefore, while the Development Agreement associated with the 2017 Plan allows the applicant to defer construction, such delay is unlikely.

2. *Required Finding: The proposed planned unit development is consistent with the county general plan*

Project Finding: The proposed development is consistent with the General Plan as explained above in the "Consistency Between the General Plan and Zoning" section of these findings. In addition, the land uses within the development comprise a comprehensive and integrated mix

of uses that are in harmony with each other, serve to fulfill the function of the P-1 district, and will meet applicable design objectives.

3. *Required Finding: In the case of residential development, it will constitute a residential environment of sustained desirability and stability, and will be in harmony with the character of the surrounding neighborhood and community.*

Project Finding: The 2017 Plan has been designed in a manner that is more suitable to the characteristics of the Saranap community than the existing uses. The 2017 Plan consists of a multi-family residential element that comprises a highly functional density level that is compatible with that which is on the surrounding properties. The project has also been designed to accommodate commercial uses such as a small market, coffee shop, and retail that are neighborhood serving. The combination of the project's design and land use elements will aid in revitalizing and the Saranap area. The EIR also demonstrates the lack of significant adverse effect on the adjacent or surrounding development.

4. *Required Finding: In the case of the commercial development, it is needed at the proposed location to provide adequate commercial facilities of the type proposed, and that traffic congestion will not likely be created by the proposed center, or will be obviated by presently projected improvements and by demonstrable provisions in the plan for proper entrances and exits, and by internal provisions for traffic and parking, and that the development will be an attractive and efficient center which will fit harmoniously into and will have no adverse effects upon the adjacent or surrounding development;*

Project Finding: The commercial component of the 2017 Plan is needed at the proposed location to provide adequate commercial facilities of the type proposed. The neighborhood currently lacks a grocery store, and is underserved by restaurants, coffee shops and other commercial services. The portion of the Saranap community surrounding the project site consists of older commercial and multi-family developments that were primarily developed in the 1950s and 1960s when Boulevard Way was planned as a major transportation corridor for the region. However, the potential for the commercial uses in the area being patronized by travelers passing through the Saranap area diminished with the construction of Highway 24. This has resulted in various underutilized parcels, outdated or incompatible land uses, The EIR demonstrates that traffic congestion will not likely be created by the 2017 Plan. The 2017 Plan contains provisions for proper entrances and exits, both via driveways for vehicles and numerous, inviting opening and amenities for pedestrians and bicyclists, and extensive parking. These design features have been reviewed in the EIR and will be further reviewed by

the Department of Public Works to ensure that design encourages safe, feasible and proper entrances, exists and parking.

5. *Required Finding: The development of a harmonious, integrated plan justifies exceptions from the normal application of this code.*

Project Finding: The 2017 Plan will provide the number of parking spots required by Section 84-26.1202, and will include 40 street parking spaces for residential guests as allowed by that Code section. The 2017 Plan also includes a rezoning ordinance that will enable the Sponsor to count 19 of the street parking spaces towards non-residential parking requirements. The County finds it appropriate to allow these street spaces to be counted towards off-street parking requirements. The off-street parking requirements are designed to ensure sufficient parking even where there is no street parking available, and when the subject use is a stand-alone use that would not share trips or parking spaces with any other uses. Here, the site is adjacent to street parking, and the 2017 Plan is creating additional street parking by installing marked diagonal spaces to replace the unmarked parallel parking that exists today. Also, the 2017 Plan is a mixed use project, and mixed use projects generally create lower parking demand than stand-alone uses due to the potential for shared trips. The 2017 Plan also sites these commercial uses within walking distance of not only its own residential uses, but also existing uses in the Saranap Area. This modification of parking requirements is compatible with, and in harmony with, General Plan goals, policies and provisions for the reasons stated above.

The 2017 Plan includes other regulations specifically applicable to this project that supersede general requirements of the County Code, as indicated in the P-1 rezoning ordinance recommended for the 2017 Plan. These project-specific regulations allow uses on Site B/B1 to be parked on Site A; deviations in the requirements for design and layout of parking spaces to be approved by the Community Development Division of the Department of Conservation and Development without need for a variance; deviations from the County Code and Public Works Department design standards for storm drainage facilities to be granted with approval from the Director of the Public Works Department or designee; heights of buildings to be measured from the high and low points of each lot using finished grade, and a period for commencing construction limited to five years or the term of a Development Agreement.

In addition, the Saranap Village rezoning ordinance allows three alcoholic beverage sales activities as permitted uses, which requires land use permits for such uses outside this P-1 district. These provisions of the Saranap Village rezoning ordinance are appropriate in light of the fact that the inclusion of such uses is not likely to create any of the problems the County's Alcoholic Beverage Sales Commercial Activities ordinance (Chapter 82-38) is intended to protect against. The project site is not located in an area that has an undue concentration of alcohol sales licenses. The neighborhood does not currently experience problems created by the sale of alcohol, such as loitering, public drunkenness, alcoholic beverage sales to minors, noise, or littering. Because the project is a planned community, the nature of buildings and uses throughout the entire site is already known. Accordingly, the

relationship of three alcohol beverage sales uses to their surroundings, and the public convenience and necessity, can be judged in advance without the necessity of individual land use permit review. The development is designed to attract businesses that will cater to the needs of the local population, in an area that is currently underserved by uses that typically offer alcoholic beverages, such as a grocery store, neighborhood market, drug store, and/or wine bar. Neighborhood residents and visitors currently would need to travel to Walnut Creek or Lafayette to experience similar uses. The site is large enough to accommodate three such uses without creating a likelihood of problems typically associated with excessive alcohol sales. The nature of the development, the presence of mixed residential and commercial uses, as well as maintenance responsibilities imposed upon the development by conditions of approval, will give landowners and occupants incentives to ensure that alcoholic beverage sales activities within the project site do not become public nuisances in the community.

VARIANCE FINDINGS

The applicant has requested approval of a variance to allow a mixed-use residential and commercial Planned Unit (P-1) district of 4.6+/- acres, where a minimum of 15 acres is required. County Code Section 26-2.2006 states that all of the following findings shall be made prior to the granting of a variance.

1. *Required Finding: That any variance authorized shall not constitute a grant of special privilege inconsistent with the limitations on other properties in the vicinity and the respective land use district in which the subject property is located*

Project Finding: This area is appropriate for rezoning to P-1 because it comprises an area large enough to allow for a comprehensive, and well-planned district. The compatible uses within the district will combine to create enough critical mass to achieve the project objectives. The size is appropriate for this unique site as it is in an urban infill location, in an area that includes extensive transit facilities including Olympic Boulevard, two freeways, and a BART station approximately one mile away. The area is substantially developed and includes existing commercial, industrial, and residential uses. These unique attributes make it likely that the planned district of only approximately 4.6+/- acres will meet the goals of the P-1 regulations and result in a vibrant, thriving planned community.

2. *Required Finding: That because of special circumstances applicable to the subject property because of its size, shape, topography, location or surroundings, the strict application of the respective zoning regulations is found to deprive the subject property of rights enjoyed by other properties in the vicinity and within the identical land use district;*

Project Finding: It would not be practical to pursue a 15-acre mixed-use project in this area. The existing mix of uses and voluminous number of disparate property owners make it impractical to acquire parcels in this neighborhood that are immediately adjacent to each other, and that comprise 15 acres. Redevelopment of a 15-acre area in this particular neighborhood would be also be impractical because it would be too disruptive to the existing

community, especially in light of how long-standing many of the existing uses are. Strict application of the 15-acre minimum would deprive the property owner of rights enjoyed by others within the P-1 zoning district in that it would preclude the landowner from bringing forth the comprehensively-planned community envisioned by the P-1 regulations.

3. ***Required Finding:** That any variance authorized shall substantially meet the intent and purpose of the respective land use district in which the subject property is located.*

Project Finding: The size of the rezoning area and the planned district are compatible with and in harmony with the goals, policies, and provisions of the General Plan as described above in the "Consistency Between the General Plan and Zoning" section of these findings.

VESTING TENTATIVE MAP FINDINGS

1. ***Required Finding:** The advisory agency shall not approve a tentative map unless it shall find that the proposed subdivision, together with the provisions for its design and improvement, is consistent with the applicable general and specific plans required by law.*

Project Finding: The Vesting Tentative Subdivision Map application has been reviewed according to the plans and regulations in effect on the date the application was complete, as amended by the 2017 Plan, pursuant to Government Code section 66474.2. The map and development as a whole are consistent with the General Plan as explained in the P-1 and General Plan Findings above.

The 2017 Plan Site is physically suitable for the type and density of development, as shown in the EIR and in the project plans. The subdivision is not likely to cause substantial environmental damage, is not likely to substantially and avoidably injury fish or wildlife or their habitat, and is not likely to cause serious public health problems all as documented in the EIR. As also documented in the EIR the 2017 Plan will not discharge waste into an existing community sewer system in a manner that would result in violation of existing requirements, within the meaning of Government code section 66474.6 The 2017 Plan Site is not located in a state responsibility area or a very high fire hazard severity zone within the meaning of Government Code section 66474.02.

2. ***Required Finding:** The advisory agency shall make findings as required concerning the fulfillment of construction requirements.*

Project Finding: The design of the subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision within the meaning of Government code section 66473.1. Reducing the development footprint to re-orient uses and

landscaping is not feasible as stated above. The 2017 Plan will be subject to current building codes that require energy efficiency per State of California Green Building standards.

The map is being subjected to a condition of approval that requires undergrounding. Any relevant underground would be subject to Government Code section 66473.6, addressing reimbursements for relocating or undergrounding certain utilities.

The County and the Applicant have complied with all applicable procedural and substantive requirements of State Law and Title 9 of the County Code in approving the Saranap Village Vesting Tentative Subdivision Map. Notice was provided to nearby property owners and residents as indicated above.

DEVELOPMENT AGREEMENT FINDINGS

1. The Development Agreement vests the 2017 Plan into local plans and laws as of its effective date. The Development Agreement is consistent with the General Plan as explained above.
2. The Development Agreement promotes public health, safety and welfare by granting certainty to enable a large development project to be pursued under an established set of local plans and regulations. The 2017 Plan will bring the benefits noted above. It also provides for payment of \$50,000 to fund the County's future processing of a county-wide amendment to the acreage requirements for P-1 zoning districts, and/or a comprehensive land use plan for the Saranap neighborhood.
3. The County and the Applicant have complied with all substantive and procedural requirements for the Development Agreement, including applicable provisions of Government Code sections 65864 - 65869.5, and Board of Supervisors Resolution 85/412.

LAND USE PERMIT FINDINGS

Exclusive Parking Facility (Site-A)

1. *Required Finding: That the proposed conditional land use shall not be detrimental to the health, safety and general welfare of the county;*

Project Finding: The proposed parking garage on Site-A will provide off-street vehicle and bicycle parking accommodations for patrons, residents, and guests of the Saranap Village Development. In itself, parking facilities associated with residential and/or mixed-use developments are not detrimental to the health, safety, or general welfare of the surrounding community. The design of the proposed parking garage will be subject to applicable California building code, as well as access and circulation standards of the County ordinance. Incorporation of these standards will be enforced by staff of the Building Inspection Division, Community Development Division, and Public Works Department during their review of final construction plans. Based on the above, the overall nature of the proposed use combined with the County's enforcement of applicable code will ensure that the proposed parking facility will not be detrimental to the health, safety, and general welfare of the County.

2. *Required Finding: That it shall not adversely affect the orderly development of property within the county;*

Project Finding: The proposed parking facility is part of the Saranap Village Mixed-Use Project and will be physically located within the "boundaries" of the development. The facility has been designed to be operationally integrated with, and will be constructed simultaneously with the residential and commercial land uses that it will accommodate. The parking facility will not encroach upon, restrict access to, or otherwise inhibit development on any adjacent property. Lastly, the proposed facility will be consistent with the General Plan land use designation and zoning district in which it will be located. Based on the above, there is no evidence in the record to suggest that the proposed parking facility will adversely affect the orderly development of property within the County.

3. *Required Finding: That it shall not adversely affect the preservation of property values and the protection of the tax base within the county;*

Project Finding: The proposed parking facility will be an integral element of a mixed-use development that will bring desired residential and neighborhood-serving commercial uses to the area. Furthermore, the proposed facility will provide off-street parking for residents, guests, and patrons of the Saranap Village Development, and significantly reduce the amount of people that will need to park on surrounding streets. The availability of off-street parking in the area is an added amenity that will maintain and likely improve property values and the tax base within the surrounding neighborhood.

4. *Required Finding: That it shall not adversely affect the policy and goals as set by the general plan;*

Project Finding: The intent of the proposed parking facility is to provide off street parking for the proposed residential and commercial land uses within the Saranap Village Development. Providing off-street parking for the proposed project is consistent with Table 6-29 (Parking Requirements) and the associated policies within the Parking Standards section of the General Plan's Housing Element. Providing provisions for off-street parking is also consistent the County's Off-Street parking ordinance (Section 82-16), which identifies quantity and design standards based on proposed land uses.

5. *Required Finding: That it shall not create a nuisance and/or enforcement problem within the neighborhood or community;*

Project Finding: The parking facility is strictly intended to provide off-street vehicle and bicycle parking for the proposed development. Potential noise, traffic, and other environmentally related nuisances that could result from the facility were analyzed as part of the project's environmental impact report; and were either deemed as less than significant or less than significant with an incorporated mitigation. The design of the parking facility will also be

reviewed by County staff to ensure free-flowing vehicle circulation in and out of the structure, which will limit the potential for any impacts to traffic along the adjacent roadway.

6. *Required Finding: That it shall not encourage marginal development within the neighborhood;*

Project Finding: The proposed parking facility will be restricted to residents, guests, and patrons of the Saranap Village development. The full capacity of the parking facility will be required for the proposed, and thus will not be able to accommodate off-street parking for any land uses located outside of the development. Furthermore, parking facilities are uses of a nature that are established because of an existing or proposed demand, rather than a use that would induce development or a population increase. The parking facility in itself will not create a substantial increase in business opportunities, nor will it substantially increase the population in the surrounding area. The anticipated population and business opportunity increases associated with the Saranap Village development will be a result of the residential and commercial elements of the project, and not the proposed parking facility.

7. *Required Finding: That special conditions or unique characteristics of the subject property and its location or surroundings are established.*

Project Finding: The proposed parking facility is being proposed as part of the Saranap Village Mixed-Used development that it is intended to serve. The facility has been incorporated into the overall design of the development, and will be constructed simultaneously with land uses such as the residential units, market, and retail located on Site-A that the parking facility is primarily intended to accommodate. Conditions of approval have also been incorporated as part of the project to ensure that the facility will comply with applicable building, zoning, and traffic standards.

Take-Out Food Establishments

1. *Required Finding: That the proposed conditional land use shall not be detrimental to the health, safety and general welfare of the county;*

Required Finding: The take-out food establishments proposed within the Saranap Village development will be those of a nature and scale that are intended to serve the subject development and surrounding Saranap Community. The proposed establishments will be subject to applicable standards of the County Health Services Department with regard to the manner in which the food items are prepared, served, and packaged. In addition, staff has recommended that the proposed take-out food establishments be conditioned to require that owner or operator be required to properly dispose of trash, litter, and garbage generated by the use. The combination of being subject to standards of the Health Services Department and being required to properly dispose of trash generated by the use will ensure that the proposed take-out food establishments will not be detrimental to the health, safety, and general welfare of the County.

2. *Required Finding: That it shall not adversely affect the orderly development of property within the county;*

Project Finding: The proposed take-out food establishments will be located within a General Plan designation, zoning district, and development that allow for commercial uses of that nature. The proposed uses are intended to provide a retail service to visitors and residents of the Saranap Village development, and to the surrounding population of the Saranap community. Due to the location, nature, and scale of the proposed take-out food establishments, there is nothing in the record to indicate that they would adversely affect the orderly development of property within the County.

3. *Required Finding: That it shall not adversely affect the preservation of property values and the protection of the tax base within the county;*

Project Finding: The proposed take-out food establishments will be an integral element of a proposed mixed-use development. Furthermore, the proposed uses will provide retail food services for residents, guests, and patrons of the Saranap Village Development, and likely reduce the need for residents to leave the area for food services. The proposed uses will also increase business and job opportunities in the area. The availability of additional food service uses within the area is an added amenity that will maintain and likely improve property values and the tax base within the surrounding neighborhood.

4. *Required Finding: That it shall not adversely affect the policy and goals as set by the general plan;*

Project Finding: The take-out food establishments proposed as part of the project consist of uses such as, but are not limited to, a market, coffee shop, and restaurant. The identified and proposed land uses are of a neighborhood-serving retail nature, which is consistent with the proposed Mixed- Used (M-15) General Plan land use designation for the project. As mentioned above in these findings, the proposed take-out food establishments will be subject to applicable food preparation, storage, and serving standards as managed by the County Health services Department. As such, there is no evidence in the record to suggest that the project will adversely affect the policies and goals of the General Plan or the specific (M-15) designation.

5. *Required Finding: That it shall not create a nuisance and/or enforcement problem within the neighborhood or community;*

Project Finding: Project Finding: Take-out food establishments at times result in the proliferation of trash, litter, and garbage in the areas surrounding the use; which is often unsightly, unhealthy, and a nuisance to surrounding property owners and visitors. To address this potential, staff has recommended that the proposed project be conditioned to require that the owner or operator of each take-out food establishment be responsible for picking up trash within 400 feet of the establishment. In addition, staff has recommended that the project

be conditioned to require that a funding mechanism be established, or that a security be provided to the County to cover the pick-up of trash by a third party to ensure that they do not create a nuisance or enforcement problem within the neighborhood.

6. *Required Finding: That it shall not encourage marginal development within the neighborhood;*

Project Finding: Take-out food establishments are uses that typically rely on an existing demand created within the surrounding area. There is an existing demand for retail commercial within the Saranap area, which will be increased by the additional residential units within the development. In addition, the project is of an infill nature and is within a previously developed area of the County. Therefore, any further development would also be infill in nature, and will be of a land use type that is already encouraged based on the existing zoning and General Plan designations

7. *Required Finding: That special conditions or unique characteristics of the subject property and its location or surroundings are established.*

Project Finding: The proposed take-out food establishments being proposed as part of the project are intended to serve residents, guests, and patrons of the Saranap Village Mixed-Used development, as well as the population of the surrounding Saranap community. The type of take-out food establishments proposed (e.g. restaurant, market, coffee shop) have been selected based on the existing demand, and in a manner as to not duplicate services that already exist in the neighborhood. The proposed uses will be constructed simultaneously with parking and residential elements of the project that will accommodate and ensure vitality of the uses. Furthermore, staff has recommended that conditions of approval regarding trash and garbage pickup be included as part of the project to address potential nuisances that could be created.

TREE REMOVAL FINDINGS

The Zoning Administrator is satisfied that the following factors, as provided by County Code Section 816-6.8010 for granting a tree permit, have been satisfied as stated below:

1. Reasonable development of the property would require removal and/or work within the dripline of code-protected trees, and this development could not be reasonably accommodated on another area of the lot.
2. Where the arborist or forester report has been required, the Deputy Director for the Community Development Division is satisfied that the issuance of a permit will not negatively affect the sustainability of the resource.

ATTACHMENT 2: MMRP

SECTION 1: AESTHETICS	
Potentially Significant Impact: (Impact 4.1-1) The Project would have a substantial adverse effect on a scenic vista.	
Mitigation Measures:	
<p>AES-1: Reduce Height. To avoid significant obstruction of views of the major Las Trampas Regional Wilderness ridgeline when viewed from the bend in Saranap Avenue at Hull's Mortuary (RDEIR Viewpoint Number 1), the maximum roofline height of Site A buildings shall be reduced as necessary to substantially eliminate the ridge obstruction. In no case shall the maximum height of the Site A buildings exceed the heights reflected in Figure 6.5-3 (Mitigated Plan Alternative Height Zone Map) in this RDEIR. [Applies to the Project and the MPA. This mitigation is already incorporated into the MPA.]</p>	
Implementing Action:	COA
Timing of Verification:	Prior to CDD stamp-approval of plans for issuance of building or grading permits
Responsible Department or Agency:	Project Proponent and CDD.
Compliance Verification:	Submittal of construction plans to the CDD.
Potentially Significant Impact: (Impact 4.1-3) The Project could substantially degrade the visual character or quality of the project site or its surroundings.	
Mitigation Measures:	
<p>AES-3a: Variety of Styles. To avoid monotony of style and to be compatible with the eclectic nature of the surrounding development, the project applicant shall employ differing architectural styles which shall include, at a minimum, at least three of the following styles:</p> <ul style="list-style-type: none"> • Contemporary • Cottage Townhome • Craftsman • European Village • Contemporary Saltbox • Contemporary Lodge <p>AES-3b: Design Features. To soften or break up building masses, the project applicant shall include the following design elements:</p> <ul style="list-style-type: none"> • The same level of architectural detail shall be extended to all building exteriors, and no large blank walls on any side of any building shall be visible from any public street or off-site location. • The exterior vertical surfaces of all buildings shall be broken up and a monolithic appearance shall be avoided. The arrangement and size of design elements shall be varied. Buildings shall include variations in color, building components, materials, and window placement. <p>This requirement may be accomplished with design elements such as projections, recesses, modulation, and corner treatments. Other treatments that would satisfy this condition include, but are not limited to, columns, awnings, canopies, recessed entrance areas, special entrance treatments, decks, railings, louvers, vents, wall panels, curtain walls, and slope glazed systems and variety in the building components.</p>	

SECTION 1: AESTHETICS (continued)

- For ground-level retail under residential uses, the project applicant shall use a distinctive parapet, horizontal band, or other design element to distinguish the retail from the upper residential floors. The project applicant shall ensure that design elements are incorporated into the ground level retail uses to create a sense of openness from the sidewalk into the retail space, using such items as visually penetrable storefront windows, roll-up window walls, nano-walls, or other types of window walls.
- Along the northern side of Boulevard Way, a clearly defined base and roof edge shall be included to provide a distinct base, middle, and top of the façade.

AES-3c: Color Palette. The project applicant shall ensure that primary color palettes and materials for the project buildings are appropriate to the architectural styles chosen pursuant to Mitigation Measure AES-3a.

AES-3d: Additional Height Reduction. In addition to the height reductions required by Mitigation Measure AES-1, the applicant shall lower the height of the Site A building further. The height of all buildings shall not exceed the maximum heights set forth in Figure 4-1, Mitigation Measure AES-3d Height Zone Map. The project shall also employ flat roofs on Site A to avoid any additional height that would be required for gabled roofs. Roof heights on Site A shall be stepped back from Saranap Avenue as set forth in Figure 4-1, in the Response to Comments Document/FEIR.

Implementing Action:	COA
Timing of Verification:	Prior to CDD stamp-approval of plans for issuance of building or grading permits
Responsible Department or Agency:	Project proponent and CDD.
Compliance Verification:	Submittal of construction plans to the CDD.

SECTION 3: AIR QUALITY

Potentially Significant Impact: (Impact 4.3-2) The Project would expose sensitive receptors to emissions of Toxic Air Contaminants.

Mitigation Measures:

AIR-2a: Contractors shall be required, as a condition of contract, to only operate construction equipment with Tier 4 engines or CARB-certified Level 3 Verified Diesel Emission Control System (VDECS), such as a diesel particulate filter (DPF), installed on Tier 3 equipment. Level 3 DPFs remove at least 85 percent of diesel particulate matter. DPF installation can also result in co-benefits for other CAPs, such as NOx and ROG (CARB, 2014). At a minimum, these Tier 4 protections shall be implemented on all skip loaders, loaders, forklifts, and air compressors used by contractors. [Applies only to the Project.]

AIR-2a: The project applicant shall ensure that all off-road construction equipment has Tier 3 rated engines. The project applicant shall also ensure that the following construction equipment has a Diesel Particulate Filter (DPF): excavators in both the demolition and excavation construction phases, forklifts in the building construction phase, air compressors in the architectural coating phases, and rollers in the street improvements phase of construction. [Applies only to the MPA.]

AIR-2b: Reduced Idling. Contractors shall be restricted to a 2-minute idling limit on all construction equipment.

SECTION 3: AIR QUALITY (continued)

AIR-2c: Achieve Performance Standard. As an alternative to measures 2a and 2b above, the Project shall achieve a performance standard of not exceeding the BAAQMD thresholds relating to cancer risk and PM_{2.5}, which shall be demonstrated to the satisfaction of the County by a qualified air quality consultant. Alternative means of achieving this Performance Standard include using Tier 4 equipment, or Level 3 VDECS on Tier 3 equipment, for construction equipment other than the equipment identified in measure 2a above; use of alternative fuels (biodiesel/biofuel and/or hybrid electrification); and MERV filters.

Implementing Action:	COA
Timing of Verification:	Prior to issuance of building/grading permits (contract, air quality report); throughout construction-related activity.
Responsible Department or Agency:	Project Proponent, Contractor, Air Quality Consultant, and CDD.
Compliance Verification:	Submittal of construction contract to the CDD; submittal of air quality consultant report/plan to the CDD; field-verification by Contractor.

SECTION 4: BIOLOGICAL RESOURCES

Potentially Significant Impact: (Impact 4.4-1) The Project could have a substantial adverse effect, either directly or through habitat modifications, on any species as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.

Mitigation Measures:

Mitigation Measure BIO-1a: Pre-construction/Pre-disturbance Nesting Surveys. For construction activities expected to be initiated during the nesting season (i.e., between February 1 and August 31), the project applicant shall retain a qualified biologist to conduct pre-construction surveys for nesting birds to ensure that project activities do not result in the "take" of fertile eggs, nestlings, or nesting raptors, or the abandonment of active nests. Surveys shall be conducted no more than ten days prior to the initiation of project activities. During the survey, the biologist shall inspect all trees and other potential nesting habitats (e.g., shrubs, and buildings) within 500 feet of the project site. If an active nest is found sufficiently close to work areas to be disturbed by project activities, the biologist shall determine the extent of a work-free buffer zone to be established around the nest (in urban areas such as the project site, buffers are typically 300 feet for raptors [i.e., hawks and owls] and 75 feet for common songbirds) to ensure that no nests of species protected by the MBTA and California Fish and Game Code will be disturbed during project implementation. The extent of the work free buffer zone shall be determined by the biologist based on the species' sensitivity to disturbance (which can vary among species); the level of noise or construction disturbance; line of sight between the nest and disturbance; ambient noise levels; and consideration of other topographical or artificial barriers. Work-free buffer zones shall be demarcated with painted orange lath or via the installation of orange construction fencing and maintained until the breeding season is complete (typically by August 1), or until after the qualified biologist determines the young have fledged (usually late June through mid-July) or that the nesting cycle is otherwise complete.

SECTION 4: BIOLOGICAL RESOURCES (continued)	
Implementing Action:	COA
Timing of Verification:	After CDD stamp-approval of construction plans, but prior to issuance of building or grading permits and any site disturbance.
Responsible Department or Agency:	Project Proponent, Consulting Biologist, and CDD
Compliance Verification:	Submittal of biologist's preconstruction survey report and photographic evidence of buffer zone demarcation (as needed) to the CDD.
<p>BIO-1b: Pre-Construction Bat Surveys. No more than 10 days in advance of tree removal or the demolition and removal of buildings or structures, the project applicant shall retain a qualified biologist to conduct pre-construction surveys for bat roosts. If a colony of special-status bat species is located within and immediately adjacent to the impact areas during pre-construction surveys, the biologist shall determine the extent of a work-free buffer zone to be established around the colony to ensure that the colony will not be disturbed during project implementation. The extent of the work free buffer zone shall be determined by the biologist based on the species' sensitivity to disturbance (which can vary among species); the level of noise or construction disturbance; line of sight between the nest and disturbance; ambient noise levels; and consideration of other topographical or artificial barriers. Work-free buffer zones shall be demarcated with painted orange lath or via the installation of orange construction fencing. If there is a maternity colony present, demolition of that tree or structure shall not commence until after young are flying (i.e., after July 31, confirmed by a qualified bat biologist) and shall be completed before maternity colonies form the following year (i.e. prior to March 1).</p>	
Implementing Action:	COA
Timing of Verification:	After CDD stamp-approval of construction plans, but no more than 10 days prior to issuance of building or grading permits and any site disturbance.
Responsible Department or Agency:	Project Proponent, Consulting Biologist, and CDD.
Compliance Verification:	Submittal of biologist's preconstruction survey report and photographic evidence of buffer zone demarcation (as needed) to the CDD.
SECTION 5: CULTURAL RESOURCES	
<p>Potentially Significant Impact: (Impact 4.5-2) Implementation of the Project could result in a substantial adverse change in the significance of an archaeological resource.</p>	
<p>Mitigation Measures:</p>	
<p>CUL-2: Pursuant to CEQA Guidelines Section 15064.5(f), if prehistoric or historic-period archaeological resources are encountered, all construction activities within 100 feet shall halt and the Contra Costa County Department of Conservation and Development shall be notified. The project applicant shall retain an archaeologist that meets the qualifications listed in the Secretary of the Interior's Standards and Guidelines to inspect the find within 24 hours of discovery. If the find is determined to be potentially significant, the archaeologist, in consultation with the Contra Costa County Department of Conservation and Development and the culturally-affiliated Native American group(s) shall determine whether preservation in place is feasible. Consistent with Section 15126.4(b)(3), this may be accomplished through</p>	

SECTION 5: CULTURAL RESOURCES (continued)

planning construction to avoid the resource; incorporating the resource within open space; capping and covering the resource; or deeding the site into a permanent conservation easement. If avoidance is not feasible, a qualified archaeologist, in consultation with the lead agency and the culturally-affiliated Native American group(s), shall prepare and implement a detailed treatment plan. Treatment of unique archaeological resources shall follow the applicable requirements of PRC Section 21083.2. Treatment for most resources would consist of (but would not be not limited to) sample excavation, artifact collection, site documentation, and historical research, with the aim to target the recovery of important scientific data contained in the portion(s) of the significant resource to be impacted by the Project. The treatment plan shall include provisions for analysis of data in a regional context, reporting of results within a timely manner, curation of artifacts and data at an approved facility, and dissemination of reports to local and state repositories, libraries, and interested professionals.

Implementing Action:	COA
Timing of Verification:	Within 24 hours of encountering a resource and prior to resuming construction activity; throughout construction-related activity.
Responsible Department or Agency:	Project Proponent, Consulting Archaeologist, Culturally-Affiliated Native American Group(s), and CDD.
Compliance Verification:	Notification and submittal of consulting archaeologist's report to the CDD staff (as needed); submittal of treatment plan to the CDD (as needed)

Potentially Significant Impact: (Impact 4.5-3) Implementation of the Project could directly or indirectly destroy a unique paleontological resource or site or unique geological feature.

Mitigation Measures:

CUL-3: In the event of an unanticipated discovery of a fossil or fossilized deposit during construction, the project applicant shall notify both a qualified paleontologist (as approved by the County) and the County of unanticipated discoveries. The qualified paleontologist, under contract to the project applicant, shall subsequently document the discovery. Excavations within 100 feet of the find shall be temporarily halted or diverted until a qualified paleontologist examines the discovery. The paleontologist shall notify the Contra Costa County Department of Conservation and Development to determine procedures that would be followed before construction is allowed to resume at the location of the find. The paleontologist shall oversee implementation of these procedures once they have been determined.

Implementing Action:	COA
Timing of Verification:	Subsequent to an unanticipated fossil or fossilized deposit and prior to resuming construction activity; throughout construction-related activity.
Responsible Department or Agency:	Project Proponent, Consulting Paleontologist, and CDD.
Compliance Verification:	Notification and submittal of consulting paleontologist's report to the CDD (as needed).

Potentially Significant Impact: (Impact 4.5-4) Implementation of the Project could disturb human remains, including those interred outside of formal cemeteries.

SECTION 5: CULTURAL RESOURCES (continued)**Mitigation Measures:**

CUL-4: In the event that any prehistoric or historic subsurface human remains are discovered during ground disturbing activities, the project applicant shall ensure that all work within 100 feet of the resources halt. The project applicant consults with the County and a qualified archaeologist (as approved by the County) to assess the significance of the find per CEQA Guidelines Section 15064.5. CEQA Guidelines Section 15064.5(e)(1), below, shall be followed:

(e) In the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the following steps should be taken:

(1) There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:

(A) The coroner of the County in which the remains are discovered must be contacted to determine that no investigation of the cause of death is required, and

(B) If the coroner determines the remains to be Native American:

1. The coroner shall contact the Native American Heritage Commission within 24 hours;
2. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American;
3. The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98; or

(2) Where the following conditions occur, the landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance:

(A) The Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 48 hours after being notified by the Commission;

(B) The identified descendant fails to make a recommendation; or

(C) The landowner or his authorized representative rejects the recommendation of the descendant, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.

Implementing Action:	COA
Timing of Verification:	Subsequent to the discovery of prehistoric or subsurface human remains and prior to resuming construction activity; throughout construction-related activity.
Responsible Department or Agency:	Project proponent, Consulting Archaeologist, County Coroner, Native American Heritage Commission, and CDD.
Compliance Verification:	Notification and submittal of archaeologist's report to the CDD (as needed).

SECTION 7: GREENHOUSE GASES

Potentially Significant Impact: (Impact 4.7-2) Project operations would result in emissions of greenhouse gases that could contribute to global climate change.

Mitigation Measures:

GHG-2: Implement a Project-Specific GHG Reduction Plan. The project applicant shall prepare a GHG Reduction Plan. The GHG Reduction Plan, which shall be prepared by a qualified expert, shall be subject to approval by the Director of Community Development, and shall either demonstrate what additional or recurring mitigation efforts are projected to be required, or that no such additional or recurring mitigation efforts are required. Development permits shall be issued only for such development as is covered by an approved GHG Reduction Plan. The Plan shall demonstrate specific methods to achieve a GHG reduction performance standard for total project GHG emissions of no more than 4.6 MT CO₂e per year per service population. The GHG Reduction Plan shall specify the methods, and quantify the projected emissions reduction that would be achieved. Methods that may be included in the GHG Reduction Plan include, but are not limited to, the following:

- **Implement Mitigation Measures to Reduce Project-Generated GHG emissions from Mobile Sources (Vehicular Traffic).** Listed below are several mitigation measures to reduce project-generated traffic GHG emissions, as identified in the California Air Pollution Control Officers Association (CAPCOA) guidance for GHG mitigation measures (CAPCOA 2010). The GHG Reduction Plan may include any one or more of the following for implementation:

1. Mitigation Category	2. Potential Mitigation Measure
Neighborhood/Site Enhancements	Provide Pedestrian Network Improvements
	Provide Traffic Calming Measures
	Implement a Neighborhood Electric Vehicle Network
	Incorporate Bike Lane Street Design (on-site)
	Provide Bike Parking in Non-Residential Projects
Parking Policy/Pricing	Provide Electric Vehicle Parking
	Limit Parking Supply
	Unbundle Parking Costs from Property Cost
Commute Trip Reduction Programs	Implement Market Price Public Parking (On-Street)
	Implement Commute Trip Reduction Program – Voluntary
	Implement Commute Trip Reduction Program – Required
	Implementation/Monitoring
	Provide Ride-Sharing Programs
	Implement Subsidized or Discounted Transit Program
	Provide End of Trip Facilities
	Encourage Telecommuting and Alternative Work Schedules
	Implement Commute Trip Reduction Marketing
	Implement Preferential Parking Permit Program
	Implement Car-Sharing Program
	Provide Employee-Sponsored Vanpool-Shuttle
	Implement Bike-sharing Programs
	Price Workplace Parking

SECTION 7: GREENHOUSE GASES (continued)

3. Mitigation Category	4. Potential Mitigation Measure
Transit System Improvements	Implement Employee Parking "Cash-Out"
	Provide a Bus Rapid Transit System
	Implement Transit Access Improvements
	Expand Transit Network
	Increase Transit Service Frequency/Speed
	Provide Local Shuttles

Reference: CAPCOA. Quantifying Greenhouse Gas Mitigation Measures. August 2010. (<http://capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf>)

- **Install a Solar Photovoltaic System.** Installation of solar photovoltaic system(s) that would remain in place as a component in achieving the performance standard
- **Purchase GHG Emission Offsets.** The project sponsor could purchase GHG Emission offsets. The offsets could include any of the following sources: (1) The California Air Resources Board (ARB) quarterly allowance auctions held as part of its Cap-and-Trade Program or (2) The Greenhouse Gas Reduction Exchange (GHG Rx); or (3) Climate Action Reserve Climate Reserve Tonnes (CAR CRTs).

The GHG Reduction Plan may be modified or amended to address changes in emissions, substitution of methods by which the Project achieves the performance standard, and advances in the science, circumstance or technology related to greenhouse gas reduction, avoidance or offsets. These factors may eventually result in a GHG Reduction Plan that demonstrates the Project will achieve the performance standard without further mitigation. Such modifications or amendments shall be effective only if prepared by a qualified expert, and approved by the County.

The project applicant shall form one or more property owner's association(s) that encompasses all privately-held non-residential condominium properties within the project site. These associations shall be responsible for implementing the approved GHG Reduction Plan. Beginning no more than two years after the final County building inspection for the first building containing non-residential uses, these associations shall prepare, and submit, an Annual GHG Emissions Reduction Report (Annual Report) to the County for review and approval. The CC&Rs referenced below shall remain in force and the Annual Report shall be required for each operational year of the Project until two consecutive Annual Reports demonstrate that no mitigation is required to reduce Project-related GHG impacts to a less-than-significant level. The Annual Report shall summarize the Project's implementation of GHG reduction measures over the preceding year, intended upcoming changes, compliance with the conditions/requirements of the GHG Reduction Plan, and include a brief summary of the previous year's Annual Report results (starting with the second report). The Annual Report shall include a comparison of annual project emissions to the baseline emissions reported in the GHG Reduction Plan. The requirements of the GHG Reduction Plan shall be considered fully attained when project emissions are below applicable numeric BAAQMD CEQA thresholds.

To ensure implementation of the GHG Reduction Plan by the non-residential property owners' association(s), the applicant shall comply with all of the following:

- The applicant shall ensure that Covenants, Conditions, and Restrictions (CC&Rs) are adopted and recorded against all privately-owned, non-residential condominium properties within the project site, and that the CC&Rs bind each subsequent non-residential condominium property owner.

SECTION 7: GREENHOUSE GASES (continued)

- Such CC&Rs shall obligate all owner(s) of non-residential condominium properties, jointly and severally, to implement and fund the costs of implementing this mitigation measure, including any enforcement costs, and shall provide that this funding obligation is secured by that owner's non-residential condominium property.
- Such CC&Rs shall obligate the non-residential condominium property owners' association to implement and enforce this mitigation measure.
- Such CC&Rs shall identify Contra Costa County as a third party beneficiary of any provisions relating to implementation or enforcement of this mitigation measure, shall enable the County to enforce any such provisions, and shall preclude amendment of any such provisions without the express written consent of the Director of the Department of Conservation and Development or the County Zoning Administrator.
- Such CC&Rs shall obligate the non-residential property owner(s) to forfeit their right to operate under the Planned Unit District zoning for any period during which a violation of this mitigation measure exists, as determined by Contra Costa County.

This measure will be enforced by the County against the owner(s) of the non-residential condominium properties in the Project. Enforcing this measure against only non-residential condominium properties is appropriate in light of the BAAQMD significance threshold, which assigns emissions on a per capita basis, and includes the per capita emissions generated by employees, customers and visitors. The per capita emissions assigned to residential uses include only the emissions generated by residents. Accordingly, if the non-residential condominium properties cease to operate, emissions would not exceed the per capita emission threshold.

Implementing Action:	COA
Timing of Verification:	Prior to CDD stamp-approval of plans (GHG Reduction Plan); prior to final County building inspection for the first building containing non-residential uses (CC&Rs and non-residential condo property owners' association formation document); no more than two years after the final County building inspection for the first building containing non-residential uses (Annual Report); throughout project operation until GHG reduction mitigations are no longer needed (Annual Report)
Responsible Department or Agency:	Project proponent, Air Quality Expert, and CDD.
Compliance Verification:	Submittal of GHG Reduction Plan, copy of recorded CC&Rs document, non-residential property owners association formation document, and Annual Report to the CDD

Potentially Significant Impact: (Impact 4.7-3) The Project could conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

GHG-2: Implement a Project-Specific GHG Reduction Plan (above)

Potentially Significant Impact: (Impact 4.8-1) The Project would include the routine transport, use and disposal of hazardous materials during construction and operation, and could create a significant hazard to the public or environment.

SECTION 8: HAZARDS AND HAZARDOUS MATERIALS**Mitigation Measures:**

HAZ-1a: Prior to issuance of any demolition permit, the project applicant shall submit to the County a hazardous building material assessment prepared by qualified licensed contractors for each structure intended for demolition indicating whether LBP or lead-based coatings, ACMs, and/or PCB-containing equipment are present.	
Implementing Action:	COA
Timing of Verification:	Prior to CDD stamp-approval of plans for issuance of building permits allowing demolition.
Responsible Department or Agency:	Project Proponent, Contractor, and CDD.
Compliance Verification:	Submittal of hazardous building material assessment to the CDD.
HAZ-1b: If the assessment required by Mitigation Measure HAZ-1a indicates the presence of LBP, ACMs, and/or PCBs, the project applicant shall create and implement a health and safety plan in accordance with local, state, and federal requirements to protect demolition and construction workers and the public from risks associated with such hazardous materials during demolition or renovation of affected structures.	
Implementing Action:	COA
Timing of Verification:	Prior to CDD stamp-approval of plans for issuance of building permits allowing demolition (health and safety plan); throughout demolition activities.
Responsible Department or Agency:	Project proponent and CDD.
Compliance Verification:	Submittal of Health and Safety Plan to the CDD (as needed).
HAZ-1c: If the assessment required by Mitigation Measure HAZ-1a finds presence of LBP, the project applicant shall develop and implement a LBP removal plan for the County's review and approval. The plan shall specify, but not be limited to, the following elements for implementation: <ul style="list-style-type: none"> • Develop a removal specification approved by a Certified Lead Project Designer. • Ensure that all removal workers are properly trained. • Contain all work areas to prohibit off-site migration of paint chip debris. • Remove all peeling and stratified LBP on building and non-building surfaces to the degree necessary to safely and properly complete demolition activities according to recommendations of the survey. The demolition contractor shall be responsible for the proper containment and disposal of intact LBP on all equipment to be cut and/or removed during the demolition. • Provide on-site personnel and area air monitoring during all removal activities to ensure that workers and the environment are adequately protected by the control measures used. • Clean up and/or vacuum paint chips with a high efficiency particulate air (HEPA) filter. • Collect, segregate, and profile waste for disposal determination. • Properly dispose of all waste. 	

SECTION 8: HAZARDS AND HAZARDOUS MATERIALS (continued)	
Implementing Action:	COA
Timing of Verification:	Prior to CDD stamp-approval of plans for issuance of building permits allowing demolition; throughout demolition activities
Responsible Department or Agency:	Project proponent and CDD.
Compliance Verification:	Submittal of LBP Removal Plan to the CDD.
<p>HAZ-1d: If the assessment required by Mitigation Measure HAZ-1a finds asbestos, the project applicant shall prepare an asbestos abatement plan for the County's review and approval. The plan shall ensure that asbestos abatement is conducted by a licensed contractor prior to building demolition. Abatement of known or suspected ACMs shall occur prior to demolition or construction activities that would disturb those materials. Pursuant to an asbestos abatement plan a state-certified asbestos consultant shall be retained and approved by the County, and all ACMs shall be removed and appropriately disposed of by a state certified asbestos contractor.</p>	
Implementing Action:	COA
Timing of Verification:	Prior to CDD stamp-approval of plans for issuance of building permits allowing demolition (asbestos abatement plan, contract); throughout demolition activities
Responsible Department or Agency:	Project Proponent, State-certified Asbestos Consultant and CDD.
Compliance Verification:	Submittal of asbestos abatement plan and contract with state-certified asbestos consultant to the CDD (as needed).
<p>HAZ-1e: If the assessment required by Mitigation Measure HAZ-1a finds PCBs, the project applicant shall ensure that PCB abatement is conducted prior to building demolition or renovation. PCBs shall be removed by a qualified contractor and transported in accordance with Caltrans requirements.</p>	
Implementing Action:	COA
Timing of Verification:	Prior to CDD stamp-approval of plans for issuance of building permits allowing demolition; throughout demolition activities.
Responsible Department or Agency:	Project Proponent, Qualified Contractor, and CDD.
Compliance Verification:	Submittal of contract with qualified contractor to CDD.
<p>Potentially Significant Impact: (Impact 4.8-3) The Project would be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and could result in a safety hazard to the public or environment through exposure to previous contamination of soil or groundwater.</p>	

SECTION 8: HAZARDS AND HAZARDOUS MATERIALS (continued)	
Mitigation Measures:	
<p>HAZ-3: The contractor shall cease any earthwork activities upon discovery of any suspect soils (e.g., petroleum odor and/or discoloration) during construction. The contractor shall notify the Contra Costa County Health Services Department and retain a qualified environmental firm to collect soil samples to confirm the level of contamination that may be present. If contamination is found to be present, any further proposed groundbreaking activities within areas of identified or suspected contamination shall be conducted according to a site specific health and safety plan, prepared by a licensed professional. The contractor shall follow all procedural direction given by Contra Costa County Health Services Department to ensure that suspect soils are isolated, protected from runoff, and disposed of in accordance with transportation laws and the requirements of the licensed receiving facility.</p>	
Implementing Action:	COA
Timing of Verification:	Upon discovery of suspect soils (notification, soils report health and safety plan); throughout construction activities.
Responsible Department or Agency:	Project Proponent, Qualified Environmental Firm, Contra Costa County Health Services, and CDD.
Compliance Verification:	Submittal of proof of notification to County Health Services, soil sample results report, and health and safety plan to the CDD (as needed).
SECTION 9: HYDROLOGY AND WATER QUALITY	
<p>Potentially Significant Impact: (Impact 4.9-3) The Project would not alter the drainage pattern of the site such that it would result in substantial erosion or siltation on or off the site.</p>	
Mitigation Measures:	
<p>HYD-3: <u>Pre-project stormflow levels.</u> No construction shall be permitted anywhere on the project site unless the applicant demonstrates, to the satisfaction of the Director of the Public Works Department, either of the following:</p> <p>(a) Upon completion of such construction, there will be sufficient detention capacity on the project site to detain the incremental increase in stormflow volume that occurs during the 24-hour, 10-year design storm, which incremental increase is due to the increase in impervious surface above pre-project levels. This standard could be met with a detention vault with capacity for approximately 12,300 cubic feet of stormwater on Site B, through smaller detention vaults, tanks or other facilities on each of the four privately-owned sites (Sites A, B, B1 and C), or through other means; or</p> <p>(b) Upon completion of such construction, the total square footage of impervious surface area throughout the project site will remain at or below pre-project levels.</p>	
Implementing Action:	COA
Timing of Verification:	Prior to CDD stamp-approval of plans for issuance of building or grading permits.
Responsible Department or Agency:	Project proponent, Public Works Department, and CDD.
Compliance Verification:	Submittal of Public Works Department Approval to CDD.

SECTION 9: HYDROLOGY AND WATER QUALITY (continued)	
Potentially Significant Impact: (Impact 4.9-5) The Project would not create or contribute runoff water which would exceed the capacity of existing drainage systems or provide additional sources of polluted runoff.	
Mitigation Measures:	
<u>HYD-3: Pre-project stormflow levels. (above)</u>	
SECTION 12: NOISE	
Potentially Significant Impact: (Impact 4.12-1) The Project would result in the exposure of persons to, or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.	
Mitigation Measures:	
<u>NOI-1a: Performance Standard for Mechanical Equipment.</u> The project applicant shall have mechanical equipment designed such that noise levels do not result in an increase by 5 dB or more at adjacent properties. This performance standard may be achieved by selecting quieter equipment models, strategic siting, equipment setback, noise barriers or enclosures, acoustical louvers, and equipment noise attenuators. A qualified acoustical professional shall be retained by the project applicant and shall advise the design team regarding effective noise reduction measures. Prior to issuance of building permits for each building, the qualified acoustical professional shall verify that each building design incorporates the recommended noise reduction measures necessary to prevent an increase of 5 dB or more at adjacent properties. The project applicant shall submit such verification to Community Development Division staff for review and approval. Prior to the final building inspection for each building, the qualified acoustical professional shall verify in the field that the required noise reductions have been achieved. The project applicant shall submit such verification measurement data to Community Development Division staff for review and approval.	
Implementing Action:	COA
Timing of Verification:	Prior to CDD stamp-approval of plans for issuance of building permits for each building.
Responsible Department or Agency:	Project Proponent, Consulting Acoustician, and CDD.
Compliance Verification:	Submittal of noise reduction measures assessment and construction plans reflecting design recommendations to the CDD.
<u>NOI-1b: Exterior Noise Exposure Reduction through Design and Building Materials.</u> The project applicant shall reduce on-site noise levels at Site A common use areas to the extent required to achieve compliance with General Plan Policy 11-2, as determined by the County according to the County's customary interpretation and application of that policy. A qualified acoustical professional shall be retained by the project applicant to recommend effective noise reduction measures, and verify that such measures have been incorporated into Site A building design. The project applicant shall submit such verification to Community Development Division staff for review and approval. Prior to the final building inspection for Site A, the qualified acoustical professional shall verify in the field that the required noise reduction measures have been installed. The project applicant shall submit such verification measurement data to Community Development Division staff for review and approval.	

SECTION 12: NOISE (continued)	
Implementing Action:	COA
Timing of Verification:	Prior to CDD stamp-approval of plans for issuance of building permits on Site-A (noise reduction measures report and implementing plans); prior to final inspection of buildings on Site-A (field verification report).
Responsible Department or Agency:	Project Proponent, Consulting Acoustician, and CDD.
Compliance Verification:	Submittal of noise reduction measures report, Site-A construction plans, and field verification report to the CDD.
Potentially Significant Impact: (Impact 4.12-2) The Project would result in the exposure of persons to or generation of, excessive ground born vibration or ground borne noise levels.	
Mitigation Measures:	
<p><u>NOI-2a: Construction Hours Limitations.</u> The project applicant shall incorporate the following practice into the construction contract agreement documents to be implemented by the construction contractor, to the satisfaction of the Community Development Division:</p> <ul style="list-style-type: none"> 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. Exceptions to the hours limitations may be granted when reasonably necessary to allow construction to proceed (for example, to complete a single concrete pour). 	
Implementing Action:	COA
Timing of Verification:	Prior to CDD stamp-approval of plans for issuance of building or grading permits (contract); throughout construction activity
Responsible Department or Agency:	Project Proponent, Contractor, and CDD
Compliance Verification:	Submittal of construction contract to the CDD
<u>NOI-2b:</u> The project applicant shall adequately isolate vibration-generating mechanical equipment per ASHRAE Guidelines to reduce ground-borne vibration levels at neighboring properties to or below the Caltrans vibration criteria of 0.1 inches per PPV.	
Implementing Action:	COA
Timing of Verification:	After CDD stamp-approval of plans, but prior to issuance of building or grading permits (contract); throughout construction
Responsible Department or Agency:	Project proponent, Contractor, and CDD.
Compliance Verification:	Submittal of construction contract to the CDD.
Potentially Significant Impact: (Impact 4.12-3) Noise generated from project related activities could result in a significant permanent increase in ambient noise levels at existing adjacent properties.	
SECTION 12: NOISE (continued)	
Mitigation Measures:	

NOI-3: The project applicant shall install signage in the pool area for Site B with language substantially similar to the following:

- Pool hours are from 7:00 a.m. to 11:00 p.m. on weekends and holidays, and 7:00 a.m. to 10:00 p.m. on other days. This pool area may be used only during pool hours.
- The Contra Costa County Code (Chapter 82-44) precludes events of 75 people or more without a Temporary Event Permit or a Land Use Permit.
- No amplified live music is allowed in this pool area without a Temporary Event Permit or a Land Use Permit.

Implementing Action:	COA
Timing of Verification:	Prior to final inspection for pool permit at Site-B.
Responsible Department or Agency:	Project Proponent and CDD.
Compliance Verification:	Submittal of photographic evidence of sign installation to the CDD.

Potentially Significant Impact: (Impact 4.12-4) Project construction could result in substantial temporary or periodic increase in ambient noise levels in the project vicinity.

Mitigation Measures:

NOI-4: Noise Controls During Construction. The project applicant shall incorporate the following practices into the construction contract agreement documents to be implemented by the construction contractor, to the satisfaction of the Community Development Division:

- During construction, mufflers shall be provided for all heavy construction equipment and all stationary noise sources in accordance with the manufacturers' recommendations.
- Limit unnecessary idling of internal combustion engines (generally no more than 2 minutes).
- Stationary noise sources and staging areas shall be located as far as is feasible from existing noise sensitive receivers. Locating stationary noise sources near existing roadways away from adjacent properties is preferred. If located otherwise, stationary noise sources are to be enclosed or shielded from neighboring noise-sensitive properties with noise barriers to the extent feasible.
- Air compressors and pneumatic equipment shall be equipped with mufflers, and impact tools should be equipped with shrouds or shields.
- A construction liaison shall be designated to ensure coordination between construction staff and neighbors to minimize disruptions due to construction noise. Neighboring property owners within 300 feet of construction activity shall be notified in writing of the contact information for the construction liaison. Additionally, a sign shall be posted at the project site with the construction liaison's name and contact information.
- Neighboring property owners within 300 feet of construction activity shall be notified in writing of the construction schedule and at least 30 days prior to loud noise-generating activities. Notification is to include the nature and estimated duration of the activity.

SECTION 12: NOISE (continued)

Prior to construction, a qualified acoustical professional shall review specific equipment and site locations that would be expected to generate noise levels above DNL 90 dB (one-hour Leq) at adjacent residential properties and DNL 100 dB (one hour Leq) at adjacent commercial properties. The study shall determine additional mitigation measures, as feasible, to reduce noise levels by at least five decibels and below the aforementioned limits. Additional measures might include local barriers around specific construction equipment or property line barriers. The location, height, and extent of the barriers should be provided by the acoustical professional.

Implementing Action:	COA
Timing of Verification:	Prior to CDD stamp-approval of plans for issuance of building or grading permits (acoustical study); after CDD stamp-approval of plans, but prior to issuance of building or grading permits (contract, liaison contact, project site sign); throughout construction activity.
Responsible Department or Agency:	Project proponent, Consulting Acoustician, and CDD.
Compliance Verification:	Submittal of acoustical study, construction contract, liaison contact information, photographic evidence of sign installation, construction plans with acoustician recommendations incorporated (as needed), and copy of notice to neighbors to the CDD.

SECTION 16: TRANSPORTATION/TRAFFIC

Potentially Significant Impact: (Impact 4.16-2) The Project would not substantially increase hazards due to a design feature or incompatible uses.

Mitigation Measures:

TRA-2a: The tree canopy shall be kept 15 feet above the surface of the street pavement. The tree shall be pruned, selectively thinned, and secured by guy wires for at least three years pursuant to the recommendations of the Project landscape architect according to standard industry practices. The mechanism that is created to fund and maintain other street and public improvements shall fund and implement these obligations, to the satisfaction of Contra Costa County. [Applies only to Project. Does not apply to MPA. The MPA does not include a relocated tree in an area above the surface of the street pavement, thus this impact is less than significant without mitigation.]

Implementing Action:	COA
Timing of Verification:	Prior to recordation of first Final Map (language for maintenance funding mechanism); prior to final inspection of roadway improvements (guy wires); throughout the life of the project
Responsible Department or Agency:	Project proponent, Public Works, and CDD.
Compliance Verification:	Submittal of language for maintenance funding mechanism and photographic evidence of guy wire installation to the CDD

SECTION 16: TRANSPORTATION/TRAFFIC (continued)

TRA-2b: Prior to issuance of a grading permit, the applicant shall undertake an inspection of Boulevard Way, from Olympic Boulevard to Mt. Diablo Boulevard. To the extent the applicant claims any damage is pre-existing, such damage shall be thoroughly documented by photographs, mapping and reference markings or measurement points to assist in determining whether any damage or movement has occurred as a result of construction.

Prior to the final building inspection for each building, the project applicant shall conduct a similar survey to identify any damage caused by the Project. Applicant shall be responsible for repairing any damage caused by the Project to the satisfaction of the Public Works Department.

TRA-5: Design Changes to Improve Bicycle Access (*below*).

Implementing Action:	COA
Timing of Verification:	After CDD stamp-approval of plans, but prior to issuance of grading permits (roadway inspection report); prior to final inspection for each building (post- construction roadway inspection report)
Responsible Department or Agency:	Project proponent, Public Works Department, and CDD.
Compliance Verification:	Submittal of roadway inspection reports to CDD and Public Works Department; field inspection by Public Works Department staff.

Potentially Significant Impact: (Impact 4.16-5) The Project could conflict with adopted policies and standards regarding site access by automobiles, pedestrians and bicyclists.

Mitigation Measures:

TRA-5: Design Changes to Improve Bicycle Access. The Project applicant shall work with the County to designate the segment of Boulevard Way with diagonal on street parking spaces as a Class III bike route with shared bicycle lane pavement markings. Shared lane markings shall be installed near the street centerline along the Boulevard Way project frontage to guide bicyclists away from parked vehicles. The travel lane adjacent to parallel parking spaces along Boulevard Way shall be at least approximately 16.7 feet wide.

Implementing Action:	COA
Timing of Verification:	Prior to CDD stamp approval of plans for issuance of building or grading permits (plans/documentation for designation process); prior to final inspection of roadway improvements (lane markings)
Responsible Department or Agency:	Project proponent, Public Works Department, and CDD.
Compliance Verification:	Submittal of plans/documentation to Public Works Department (as needed); field verification by Public Works Department staff

SECTION 17: UTILITIES AND SERVICE SYSTEMS

Potentially Significant Impact: (Impact 4.16-2) The Project would not substantially increase hazards due to a design feature or incompatible uses.

Mitigation Measures:

HYD-3: Pre-project stormflow levels. (above)

ATTACHMENT 3: CONDITIONS OF APPROVAL

Administrative

1. These conditions of approval pertain to the Saranap Village Mixed Use Project, as approved or recommended in County Files #GP13-0003, #RZ13-3224, #SD13-9359, and #DP13-3035. All references to the public right of way refer to that right-of-way as it is configured after the street vacations and dedications referenced below.
2. The Applicant shall substantially comply with all conditions of approval. As used in these conditions, "Applicant" means: (a) for conditions that must be satisfied before filing of a final map, the entity submitting the final map for recordation and/or the owner of the land subject to that final map; and (b) for conditions that are to be satisfied after filing of the final map, the landowner and/or HOA or equivalent owner's association. References to project sponsor or developer shall be deemed to be references to "Applicant."
3. Conditions may be modified or amended upon request of the Applicant, with the approval of the Department of Conservation and Development, Community Development Division (CDD) or the Public Works Department, as applicable to the condition, and provided the revised condition is not a substantial amendment and affords an equivalent level of protection of environmental resources. Whenever these conditions refer to approval or satisfaction of the CDD or Public Works Department, that approval or satisfaction may be provided by staff, and staff may refer the matter to a County official (director of a department or Zoning Administrator) if deemed appropriate.
- 3a. The County Planning Commission recommends that the Board of Supervisors consider the necessary steps to create a plan for the Saranap area through a community process.
4. **Vesting Tentative Map (VTM) Approval** is granted to subdivide the project site into three (3) large parcels (Site-A, -B/B1, and -C), each with multiple condominium units/lots. The Final maps may consist of up to one condominium unit for residential uses and up to 7 condominium units for commercial and parking uses on Site-A, up to 52 condominium units for residential uses and up to 12 condominium units for commercial and parking uses on Site-B/B1, and up to 24 condominium units for residential uses and one condominium unit for parking uses on Site- C; for a total of ninety-seven (97) condominium units, generally as shown on plans submitted 2-15-17.
5. **Variance approval** is recommended to allow a mixed-use residential and commercial Planned Unit (P-1) district of 4.6+/- acres where a minimum of 15 acres is required.
6. **Preliminary and Final Development Plan (FDP) approval** is recommended to allow for the construction of a new mixed-use development with associated infrastructure, utility, and

roadway improvements, consisting of the following primary elements, generally as shown on plans submitted on 2-15-17, and height zone map submitted 2-17-17:

- a) 122 apartment units for rental;
 - b) Up to 76 residential condominium units for sale;
 - c) Approximately 21,522 square feet of commercial space
 - d) Onsite parking garage;
 - e) Approximately 492 on- and off-street parking spaces;
 - f) Narrowing of a portion of Boulevard Way from four lanes to two lanes;
 - g) Installation of diagonal on-street parking along Boulevard Way and Saranap Avenue;
 - h) New traffic roundabout on Boulevard Way at Saranap Avenue;
 - i) New traffic median on Boulevard Way at Flora Avenue;
 - j) Roadway improvements within Boulevard Way and Saranap Avenue
7. **Tree Permit approval** is granted to allow the removal of 64 trees and work within the dripline of 3 trees, some of which are code-protected.

Consistency

- 8. Approval of the VTM is contingent upon the Board of Supervisors approving both the General Plan Amendment and the rezoning.
- 9. The VTM approval and recommended FDP approval are based on and as generally shown on the following documents:
 - a) Major Subdivision application received by the (CDD) on 2-15-17;
 - b) Development Plan application received by the CDD on 2-15-17;
 - c) Vesting Tentative Map of Kier and Wright Civil Engineers and Surveyors received on 2-15-17;
 - d) Civil plans of Kier and Wright Civil Engineers and Surveyors, Inc. received on 2-15-17;

e) Height zone map submitted 2-17-17; and

f) Landscape and architectural plans of MBH Architects and Camp & Camp Associates received by the CDD on 2-15-17;

VTM Duration

10. If no Development Agreement is entered into, the VTM is granted for a period of three (3) years, which may be extended subject to proper request(s) for extension, and review and approval of the CDD. If a Development Agreement is entered into for the project, then the duration of the VTM is as specified in the Development Agreement.

Indemnity

11. The Applicant shall enter into an Indemnification Agreement with the County, and the Applicant shall indemnify, defend (with counsel reasonably acceptable to the County), and hold harmless the County, its boards, commissions, officers, employees, and agents (collectively "County Parties") from any and all claims, costs, losses, actions, fees, liabilities, expenses, and damages (collectively, "Liabilities") arising from or related to the Project, the Applicant's application for a land use permit, the County's discretionary approvals for the Project, the County's actions pursuant to the California Environmental Quality Act and planning and zoning laws, or the construction and operation of the Project, regardless of when those Liabilities accrue.

Fees

12. This application is subject to an initial application deposit of \$5,000.00 for the General Plan amendment, \$14,745.00 for the rezoning review, \$2,850.00 for the tentative subdivision map review, and \$3,500.00 for the final development plan review, which were paid with the application submittals, plus time and materials costs if the application review expenses exceed 100% of the initial deposit. **Any additional cost due must be paid within sixty (60) days of the permit effective date or prior to use of the permit, whichever occurs first.** The Applicant 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.
13. **No later than five days after project approval**, the Applicant shall pay the California Department of Fish and Wildlife (CDFW) CEQA filing fee of \$3,078.25 and a County clerk processing fee of \$50, as mandated by state law. Pursuant to Fish & Game Code Section 711.4(c)(3), the project will not be operative, vested, or final, and local government permits for the project shall not be valid until the fee is paid. A Notice of Determination, which commences the running of a 30-day statute of limitations, cannot be filed absent payment of these fees.
14. In the event that the County elects to use a third-party consultant to assist in the monitoring of environmental mitigation measures set forth in the MMRP and other requirements of these

conditions, then the Applicant shall be responsible for payment of all fees associated with the consultant's contract.

15. In the event the County enters into a Development Agreement. The applicant or property owner shall submit a fee of \$500 to cover staff time needed for each review (i.e. annual reviews) or proposed modifications of that agreement.

Compliance Report

16. Prior to each of the following events: (a) filing of a final map, (b) CDD stamp-approval of plans for issuance of a building or grading permit; and (c) commencement of construction-related activities, the Applicant shall submit an application for Condition of Approval Compliance Verification to verify compliance with conditions relevant to that event. The initial deposit for a project of this size is \$10,000, which is subject to staff time and materials costs. Should staff costs exceed the deposit, additional payment will be required. The Applicant shall submit a report in compliance with the conditions of approval of this permit for review and approval of the CDD. The report shall list each condition followed by a description of what the Applicant has provided as evidence of compliance with that condition. The CDD may reject the report if it is not comprehensive with respect to the applicable requirements for the requested approval. This application will remain active throughout the construction phase of the project, and additional submittals will be required to ensure compliance with each phase of the project and with each sub-phase (demolition, grading, building, etc.) within each phase.

Specific Uses

17. The owner and/or operator of any take-out food establishments within the District shall comply with the following:
 - a) At least three times a week, pick up and properly dispose of trash, litter and garbage originating from such take-out food establishment, deposited on public property within four hundred feet of any boundary of the premises on which such take-out food establishment is located.
 - b) Upon the request of any owner of private property located within four hundred feet of any boundary of the premises on which the take-out food establishment is located, at least three times a week, pick up and properly dispose of trash, litter and garbage originating from such take-out food establishment, deposited on such private property visible from a public street.
 - c) Either establish to the satisfaction of the CDD that the parking meter program referenced below will fund maintenance required by conditions a) and b), or post a bond or other security that complies with County Code section 88-16.010.
18. The owner and/or operator of any alcoholic beverage sales commercial activities allowed as a permitted use shall comply with the following:

- a) **Prior to the commencement of alcohol sales**, provide evidence to the CDD that a license(s) has been obtained or is under review by the California Department of Alcoholic Beverage Control for the alcohol sales that are proposed.
- b) **Within 30 days from the commencement of alcohol sales**, provide evidence to the CDD that the subject facility has been registered with the Alcohol and Tobacco Tax and Trade Bureau (TTB).
- c) Obtain a business license from the County Tax Collector's Office for the associated business within which alcohol sales is permitted. This license shall be renewed annually or as otherwise required, and shall remain in good standing as long as the approved use is in operation.
- d) Comply with all applicable requirements of County Code chapter 82-38 to the extent such requirements are consistent with the Saranap Village Rezoning Ordinance.

Inclusionary Housing

- 19. The project is subject to the Inclusionary Housing Ordinance. Pursuant to Section 822-4.402 of the County Ordinance Code, a residential development of 76 for-sale units shall construct at least fifteen percent of the for-sale units to be developed and sold as inclusionary units. The Applicant is required to construct a total of 11.40 units of inclusionary housing.
 - a) As an alternative to the requirement to construct inclusionary housing, the Applicant has proposed the payment of an in-lieu fee. This alternative for the Department of Conservation and Development (DCD) to collect an in-lieu fee, as established in DCD's fee schedule, has been accepted.
 - b) Pursuant to Section 822-4.404(e), **prior to issuance of the first building permit for any portion of the for-sale residential development that is within site B/B1 and C**, the Applicant shall pay to the County the full amount of the fees that are due under the current Inclusionary Housing Ordinance. Inclusionary Housing in-lieu fees are calculated only for the for-sale residential units on Sites B/B1 and C. The in lieu fee for all for-sale units on Sites B/B1 and C is \$294,492, as long as vesting rights are maintained. This in-lieu fee is non-refundable.
- 20. Should the Applicant not satisfy the Inclusionary Housing Ordinance via payment of the full amount of the in-lieu fee that is due prior to the issuance of the first building permit for any portion of the for-sale residential development that is within site B/B1 and C, the Applicant shall comply with the County Ordinance Code Chapter 822-4 and construct the required number of inclusionary units on-site, off-site, or a combination of both on-site and off-site. Any fraction of an inclusionary unit shall be subject to the payment of the in-lieu fee as established in DCD's fee schedule at the time.

21. Should the Applicant propose to modify the project to (a) increase the total number of approved housing units, (b) convert approved rental units to for-sale units, or (c) otherwise change the number of rental or for-sale units from what is shown per plans and application, the proposed modifications shall be subject to the regulations of the Inclusionary Housing Ordinance requirements, along with any other applicable laws or statutes, in effect at that time. Should compliance with the Inclusionary Housing Ordinance be required for any proposed modifications, the Applicant shall comply with the Inclusionary Housing Ordinance in effect at that time. The developer may submit a proposal for complying with the Inclusionary Housing Ordinance by proposing any combination of on-site construction, off-site construction, in-lieu fees and land conveyance, or any other feasible alternative, that in DCD's determination would provide equivalent or greater benefit than that which would result from providing on-site inclusionary units. When counting units to determine Inclusionary Housing Ordinance applicability, successive modifications by the Applicant shall be taken into account as one proposed activity/action.

Tentative Map

22. **Prior to the filing of the first map**, the applicant shall replace Vesting Tentative Map sheets C-10 and C-11 with sheets that more clearly depict Site-B/B1 as a single parcel.

Parking Plan

23. **Prior to CDD stamp-approval of plans for the issuance of building permits for any building for residential or commercial purposes that require off-street parking**, the applicant shall submit a detailed parking plan for review and approval of the CDD. The parking plan shall confirm final parking quantities, dimensions, and locations; and shall identify those spaces designated for guests, as well as those where the use to be served by that parking space is located on a separate site (Site-A, -B/B1, -C).

Exclusive Parking Facility Plan

24. **Prior to CDD stamp-approval of plans for the Site-A parking garage**, the applicant shall submit an exclusive parking facility plan for review and approval of the CDD. The plan shall include information as necessary pursuant to Section 82-16.408 of the County Code.
- 24a. The Department of Conservation and Development and the developer shall work together to determine if the parapet height on the top level of the Site-A parking garage needs to be increased to confirm that it complies with applicable safety standards.

Deed Notification / Access Easement / Parking Easement

25. **Prior to CDD stamp-approval of plans for issuance of building permits for Site-B/B1 and -C**, the applicant shall submit evidence to the CDD, that a deed declaration, access easement,

parking easement, and/or other right of access instrument, as deemed sufficient by the CDD, has been recorded for the following:

- a) continued availability of and access to 13 off-street parking spaces located on Site-B1 for residents of the Boulevard Terrace development;
- b) continued availability of and access to off-street parking spaces within the Site-A garage for residents/guests of Site-B/B1 and Site-C as deemed necessary per the approved Parking Plan.

Project Phasing

26. Subject to approval by the Zoning Administrator, and provided the Applicant demonstrates sufficient parking for each phase, the project may be constructed in phases, in any order, with Site-A, Site-B/B1, and Site-C comprising the phases. Whether or not phasing is expressly referenced in a condition, the Applicant is required to satisfy each condition only for the phase at issue. Compliance for each phase is due at the time indicated or, if no time is indicated, by the filing of a final map for that phase. Requirements applicable to a final map shall apply only to the area encompassed within that final map. The only time a condition must be satisfied for the entire project before any final map is recorded is when the condition expressly requires compliance before the filing of "the first" final map.

Covenants, Conditions, and Restrictions

27. The Applicant shall record a declaration of covenants, conditions, and restrictions (CC&Rs) for development that requires the development owners' association to maintain all improvements within the publicly accessible areas of the development beginning when the Applicant assigns the maintenance agreement to the owners' association. The CC&Rs shall include a term substantially similar to the following:

County Approval Required for Certain Amendments. Notwithstanding any other provision of this Declaration, no amendment, change, modification, or termination of these conditions, covenants, and restrictions regarding any of the following provisions shall be effective for any purpose until approved in writing by the Contra Costa County Public Works Director, in his or her sole discretion: (a) regulation of land use, (b) maintenance of landscaping and common area within the publicly accessible areas of the development; (c) maintenance of parking meters within private parking areas, (d) maintenance of all improvements installed within County rights of way under the maintenance and license agreement between Contra Costa County and Saranap Village Developers, LLC, following the assignment of that agreement to the development owners' association, (e) the removal of any lots or territory from this Declaration, (f) termination of this Declaration, and (g) dissolution of the owners' association.

28. Covenants, conditions and restrictions shall be recorded for each phase, which shall address, to the satisfaction of the CDD, the following:

- a) Funding of maintenance of common areas.
- b) Compliance with mitigation measure GHG-2 relating to implementation of a Project-Specific GHG Reduction Plan.

Park Impact/Park Dedication Fees

29. **Prior to issuance of building permits for any building containing residential units**, the Applicant shall pay a per unit Park Impact/Park Dedication fee as follows:

- a) Multi-Family Unit: \$5,349 per unit
- b) Townhome: \$6,031 per unit

The fee amount described above is the current rate at the time of approval of this project. The actual amount due shall be that which is in effect at the time of building permit issuance, pursuant to the current ordinance.

Police Services

30. **Prior to the recording of each final map**, the Applicant 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 an annual amount per residential condominium (with appropriate future CPI adjustment) then established at the time of voting by the Board of Supervisors. As of the date of approval of this project, the annual fee is \$200.00 per residential condominium (i.e., \$200 for one residential condominium on Site A; \$10,400 for 52 residential condominiums on Site B/B1, and \$4,800 for 24 residential condominiums on Site C). The election to provide for the tax shall be completed prior to final map. The Applicant shall be responsible for paying the cost of holding the election, payable at the time the election is requested by the Applicant. Allow a minimum of three to four months for processing.

Tree Preservation

- 31. The Applicant shall plant at least 64 trees to replace removed trees. No equipment or construction materials shall be stored within the driplines of existing trees planned for preservation at the project site. Tree protection shall be addressed in each phase as it is developed.
- 32. Up to 64 trees may be removed as identified in the arborist's report contained in Appendix C to the DEIR. Trees #21 and #65 are not permitted for removal. However, work may be conducted within the dripline of Tree #65 in the panhandle of Site-B, and Tree #21 on Site-B.

33. Required Restitution for Approved Tree Removal - The following measures shall be implemented to provide restitution for the protected trees that have been approved for removal.

- a) Tree Restitution Planting/Irrigation Plan - Prior to CDD stamp-approval of plans for issuance of a grading permit or building permit, whichever occurs first, the Applicant shall submit a tree planting and irrigation plan prepared by a licensed arborist or landscape architect for the review and approval of the CDD. The plan shall identify protected trees that are to be removed or preserved. Removed protected trees shall be replaced with a minimum 15-gallon size tree. The plan shall be accompanied by an estimate prepared by a licensed landscape architect or arborist of the materials and labor costs to complete the replacement of the protected trees.
- b) Required Security to Assure the Completion of Plan Improvements - Prior to CDD stamp-approval of plans for issuance of a grading permit or building permit, whichever occurs first, the Applicant shall submit a security (e.g., bond, cash deposit or other financial instrument) that is acceptable to the CDD. The security shall include the amount of the approved cost estimate for replacement and planting, *plus* a 20% inflation surcharge.
- c) Initial Fee Deposit for Processing a Security - The County ordinance requires that the Applicant pay fees for all time and material costs of staff for processing a landscape improvement security. At time of submittal of the security, the Applicant shall pay an initial deposit of \$100.
- d) Duration of Security: Prior to the first certificate of occupancy for each phase, the consulting arborist shall verify that the required replacement trees have been properly planted for that phase, and when verified, notify the CDD in writing. The security shall be retained by the County for a minimum of 12 months up to 24 months beyond the date of receipt of the written verification of installation. A prerequisite of releasing the bond between 12 and 24 months shall be to have the Applicant arrange for the consulting arborist to inspect the required replacement trees and to prepare a report on the trees' health. In the event that the CDD determines that the required replacement tree(s) have been damaged or have died, and determines that the Applicant has not been diligent in providing a replacement, then the CDD may require that all or part of the security be used to provide for replacement of the dead or damaged tree(s).
- e) Integration with Final Landscape Plan: The tree restitution planting and irrigation plans described in Subsection a) above may be incorporated as part of the Final Landscape plan required pursuant to subsection (a) above. However, the planting plan shall identify the replacement trees required to replace removed protected trees, which are intended to satisfy this condition. In addition, the provided estimate shall only cover materials and labor associated with the implementation of the required tree restitution, and not for the full landscape plan.

34. Trees to be Preserved but Altered - Pursuant to the conclusions of the arborist's report, the improvements within the root zone of protected trees noted on the site plan to be preserved have been determined to be feasible and still allow for preservation provided that the recommendations of the arborist are substantially followed.

Pursuant to the requirements of Section 816-6.1204 of the Tree Protection and Preservation Ordinance, to address the possibility that construction activity damages protected trees that are not approved for removal, the Applicant shall provide the County with a security (e.g., bond, cash deposit or other financial instrument) to be submitted prior to issuance of a building permit or a grading permit, whichever occurs first, to allow for replacement of protected trees intended to be preserved that are significantly damaged by construction activity. The security shall be based on:

- a) Extent of Possible Restitution Improvements - The planting of a minimum 15-gallon replacement tree for every destroyed protected tree that was not approved for removal, in the vicinity of the affected tree, or equivalent planting contribution, as set forth in the approved tree planting the irrigation plan.
- b) Preservation Security - Determination of Security Amount - The security shall provide for all of the following costs:
 - preparation of a landscape/irrigation plan by a licensed landscape architect or arborist; to plant and irrigate replacements for all the preserved protected trees.
 - a labor and materials estimate for planting the potential number of trees to replace protected trees not approved for removal, and related irrigation improvements that may be required (prepared by a licensed landscape contractor); and
 - an additional 20% of the total of the above amounts to address inflation costs.
- c) Initial Deposit for Processing of Security - The County ordinance requires that the Applicant cover all time and material costs of staff for processing a tree protection security. The Applicant shall pay an initial fee deposit of \$100 at time of submittal of a security.
- d) Duration of Security: The security attributable to each phase shall be retained by the County for a minimum of 12 months up to 24 months beyond the completion of the tree alteration improvements (i.e. date of first certificate of occupancy/approved final inspection for each phase). A prerequisite of releasing the bond between 12 and 24 months shall be to have the Applicant arrange for the consulting arborist to inspect the trees and to prepare a report on the trees' health. In the event that the CDD determines that the tree(s) intended to be protected has been damaged by development activity, and the CDD determines that the Applicant has not been diligent in providing reasonable restitution of the damaged tree(s), then the CDD may require that all or part of the security be used to provide for mitigation of the damaged tree(s).

35. The expenses associated with all required arborist services shall be borne by the developer and/or property owner.

Landscaping

36. Final Landscape Plan: **At least 30 days prior to issuance of a grading permit or CDD stamp-approval of plans for issuance of a building permit**, a final landscape and irrigation plan shall be submitted to the CDD for review and approval. The plans shall be designed in general accord with the preliminary landscape plans received to the CDD on 2-15-17. The submitted plans and overall project shall be compliant with the State Model Water Efficient Landscape Ordinance (or the County's landscape ordinance if one has been adopted) and EBMUD Section 31 Water Service Regulations.

Signage

37. The Applicant shall submit a detailed sign program for review and approval of the CDD. The sign program may be submitted and approved in parts. A preliminary sign program including provisions for monument signs and signs related to residential uses shall be submitted and approved by the CDD prior to stamp-approval of plans for issuance of building permits for the first building containing residential units. A Final Sign program with provisions addressing signs for non-residential shall be submitted and approved prior to CDD stamp approval of plans for issuance of the first permit for non-residential tenant improvements.
38. The Final Sign Program shall include the following guidelines:
- a) Content and Process. The program shall indicate the general types and approximate number of signs allowed and provide general guidelines for sign sizes and locations. The program shall require that all signs conform to its applicable requirements and any applicable building code requirements. The program shall require that individual signs be submitted to the County for review, and provide that the County shall approve signs if they conform to the approved sign program.
 - b) Monument Signs. The program shall allow up to three monument signs (two along Boulevard Way; one along Saranap Ave.) identifying the development.
 - c) Required Signage. The program shall impose the following requirements for signs related to non-residential uses within buildings. Non-residential uses shall provide a minimum of one primary business identification sign per store frontage with a public entrance. Non-residential signage shall conform to the sign sizes and locations designated for its storefront areas in the program.
 - d) Landlord / Management Approval. The program shall require that each tenant receive written approval or conditional approval of its proposed sign design from the landowner or its designee prior to submittal to the County for review.

Events

39. The granting of this entitlement does not allow for Temporary Events, as defined in the Temporary Events Ordinance (County Code Chapter 82-44), except such events as are allowed subsequently by issuance of a temporary event permit pursuant to that ordinance.

Materials

40. **Prior to CDD stamp-approval of plans for issuance of building or grading permits**, the Applicant shall submit a sample board of the materials and colors proposed for each residential building as well as other structures such as trash enclosures, and pergolas. The design of the garage on Site A shall include, on the side facing the Vista Palms apartment building, enclosure of all but the uppermost (roof) level of the garage.

Climate Action Plan Consistency

41. **Prior to CDD stamp-approval of plans for issuance of building or grading permits**, the Applicant shall provide evidence (construction plan details/notes) that the proposed project meets applicable standards listed in Table-E.1 (Standards for CAP Consistency – New Development) of the County Climate Action Plan's Appendix-E, as follows:
- a) All appliances and insulation installed by the Applicant in residential and non-residential spaces shall be rated high efficiency.
 - b) All parking for residential and non-residential uses shall include EV charging stations as required by the County Code.
 - c) All residential and non-residential structures shall be solar ready as defined by the California Building Standards Code.

Transportation Demand Management Program

42. The Applicant shall implement a project-specific Final Transportation Demand Management (TDM) Program to the extent required by Mitigation Measure GHG-2 and County Code section 82-32.010(a), with the goal of encouraging residents of the development to use alternate modes of transportation. **Prior to CDD stamp-approval of plans for issuance of building or grading permits**, the Applicant shall submit a conceptual TDM Program that complies with the standards of the County TDM Ordinance. The conceptual TDM Program shall be subject to review and approval of the CDD
43. The TDM program required by the preceding condition shall include the following requirements of County Code section 82-32.010:
- a) For Sale Residential Units: Upon a residential dwelling being sold or offered for sale, the sponsor shall notify and offer to the buyer or prospective buyer, as soon as it may be done,

materials describing public transit, ridesharing, and non-motorized commuting opportunities available in the vicinity of the project. Such information shall be transmitted no later than the close of escrow.

- b) Rental Residential Units: Upon a residential dwelling being rented or offered for rent, the sponsor shall notify and offer to the tenant or prospective tenant, materials describing public transit, ridesharing, and non-motorized commuting opportunities in the vicinity of the development. The materials shall be approved by the CDD prior to certificate of occupancy for any approved building containing rental units. The materials shall be provided to the tenant or prospective tenant no later than the time the rental agreement is executed.
 - c) The sponsor and all subsequent owners of the project shall provide deed notification of mandatory participation in the TDM program to all subsequent purchasers and owners of residential units in the project.
44. The Applicant has already complied with sections 82-32.010(b)(requirements for tentative map or development plan application for residential project), 82-32.010(c) (consultation with local transit provider regarding residential project), 82-32.010(d) (traffic impact analysis for residential project), 82-32.012(a) (requirements for tentative map or development plan application for nonresidential project), 82-32.012(b) (consultation with local transit provider regarding nonresidential project), and 82-32.012 (c) (traffic impact analysis for non-residential project), and no further compliance with those provisions is required.

Environmental Impacts

45. The project shall comply with the mitigation measures set forth in the adopted Mitigation Monitoring and Reporting Program (MMRP) approved for the project, which is Attachment 2 to the resolution to which these conditions are attached. The MMRP and the mitigation measures are those applicable to the Mitigated Plan Alternative rather than the Original Project. In the event of any conflict between the MMRP and the language of the conditions implementing the Mitigation Measures shall control as it is more specifically tailored to the 2017 Plan. The MMRP is incorporated by reference into these conditions. The timing and responsibility for implementation of the mitigation measures shall be as specified in the MMRP.

Aesthetics

46. Reduce Height. To avoid significant obstruction of views of the major Las Trampas Regional Wilderness ridgeline when viewed from the bend in Saranap Avenue at Hull's Mortuary (RDEIR Viewpoint Number 1), the maximum roofline height of Site A buildings shall be reduced as necessary to substantially eliminate the ridge obstruction. In no case shall the maximum height of the Site A buildings exceed the heights reflected in Figure 6.5-3 (Mitigated Plan Alternative Height Zone Map) in the RDEIR. **[MM AES-1]** The height-zone map submitted on 2-17-17 and adopted by the Saranap Village rezoning ordinance complies with this requirement.

47. Variety of Styles. To avoid monotony of style and to be compatible with the eclectic nature of the surrounding development, the project applicant shall employ differing architectural styles which shall include, at a minimum, at least three of the following three styles: Contemporary, Cottage Townhome, Craftsman, European Village, Contemporary Saltbox, Contemporary Lodge. [MM AES-3a] The designs submitted to the CDD on 2-15-17 comply with this requirement.
48. Design Features. To soften or break up building masses, the project applicant shall include the following design elements: [MM AES-3b] The designs submitted to the CDD on 2-15-17 comply with this requirement.
- a) The same level of architectural detail shall be extended to all building exteriors, and no large blank walls on any side of any building shall be visible from any public street or off-site location.
 - b) The exterior vertical surfaces of all buildings shall be broken up and a monolithic appearance shall be avoided. The arrangement and size of design elements shall be varied. Buildings shall include variations in color, building components, materials, and window placement. This requirement may be accomplished with design elements such as projections, recesses, modulation, and corner treatments. Other treatments that would satisfy this condition include, but are not limited to, columns, awnings, canopies, recessed entrance areas, special entrance treatments, decks, railings, louvers, vents, wall panels, curtain walls, and slope glazed systems and variety in the building components
 - c) For ground-level retail under residential uses, the project applicant shall use a distinctive parapet, horizontal band, or other design element to distinguish the retail from the upper residential floors. The project applicant shall ensure that design elements are incorporated into the ground level retail uses to create a sense of openness from the sidewalk into the retail space, using such items as visually penetrable storefront windows, roll-up window walls, nano-walls, or other types of window walls.
 - d) Along the northern side of Boulevard Way, a clearly defined base and roof edge shall be included to provide a distinct base, middle, and top of the façade.
49. Color Palette. The project applicant shall ensure that primary color palettes and materials for the project buildings are appropriate to the architectural styles chosen pursuant to Mitigation Measure AES-3a. [MM AES-3c] The designs submitted to the CDD on 2-15-17 comply with this requirement.
50. Additional Height Reductions. In addition to the height reductions required by Mitigation Measure AES-1, the applicant shall lower the height of the Site A building further. The height of all buildings shall not exceed the maximum heights set forth in the Height Zone Map for the project (Figure 4-1 in the Response to Comments Document/Final EIR). The project shall also employ flat roofs on Site A to avoid any additional height that would be required for gabled roofs. Roof heights on Site A shall be stepped back from Saranap Avenue as set forth

in such height zone map. **[MM AES-3d]** The designs submitted to the CDD on 2-15-17, as supplemented by the height zone map submitted 2-17-17, comply with this requirement.

Air Quality

51. The project applicant shall ensure that all off-road construction equipment has Tier 3 rated engines. The project applicant shall also ensure that the following construction equipment has a Diesel Particulate Filter (DPF): excavators in both the demolition and excavation construction phases; forklifts in the building construction phase; air compressors in the architectural coating phases, and rollers in the street improvements phase of construction.. **[MM AIR-2a]**
52. Reduced Idling. Contractors shall be restricted to a 2 minute idling limit on all construction equipment. **[MM AIR-2b]**
53. Achieve Performance Standard. As an alternative to mitigation measures AIR-2a and AIR-2b above, the project shall achieve a performance standard of not exceeding the BAAQMD thresholds relating to cancer risk and PM2.5, which shall be demonstrated to the satisfaction of the County by a qualified air quality consultant. Alternative means of achieving this Performance Standard include using Tier 4 equipment, or Level 3 VDECS on Tier 3 equipment, for construction equipment other than the equipment identified in measure AIR-2a above; use of alternative fuels (biodiesel/biofuel and/or hybrid electrification); and MERV filters. **[MM AIR-2c]**
54. The Applicant shall comply with the following requirements during construction, relating to air quality **[additional measure not required by EIR]**:
 - a) All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
 - b) All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
 - c) 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.
 - d) All vehicle speeds on unpaved roads shall be limited to 15 mph.
 - e) 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.
 - f) Clear signage shall be provided for construction workers at all access points regarding the two-minute idling time limit set forth in Mitigation Measure AIR-2b.

- g) All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.
- h) Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

55. The Applicant shall comply with the following requirements relating to air quality:

- a) Upon initial construction, the project shall include an indoor air filtration system that meets or exceeds an efficiency standard of Minimum Efficiency Reporting Value (MERV) 11 or higher rated air filters, to limit the entry of particulate and gaseous toxic air contaminants (TACs) to the Project buildings from nearby sources, particularly State Route 24. The filtration system shall use filters rated by the American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) to attain the prescribed level of pollutant reduction indoors.
- b) The heating, air conditioning, and ventilation (HVAC) systems for the Project shall be installed with fan units designed with sufficient power to force air through the required MERV-11 or higher rated air filters.

Biological Resources

56. Pre-construction/Pre-disturbance Nesting Surveys. For construction activities expected to be initiated during the nesting season (i.e., between February 1 and August 31), the project applicant shall retain a qualified biologist to conduct pre-construction surveys for nesting birds to ensure that project activities do not result in the "take" of fertile eggs, nestlings, or nesting raptors, or the abandonment of active nests. Surveys shall be conducted no more than ten days prior to the initiation of project activities. During the survey, the biologist shall inspect all trees and other potential nesting habitats (e.g., shrubs, and buildings) within 500 feet of the project site. If an active nest is found sufficiently close to work areas to be disturbed by project activities, the biologist shall determine the extent of a work-free buffer zone to be established around the nest (in urban areas such as the project site, buffers are typically 300 feet for raptors [i.e., hawks and owls] and 75 feet for common songbirds) to ensure that no nests of species protected by the MBTA and California Fish and Game Code will be disturbed during project implementation. The extent of the work free buffer zone shall be determined by the biologist based on the species' sensitivity to disturbance (which can vary among species); the level of noise or construction disturbance; line of sight between the nest and disturbance; ambient noise levels; and consideration of other topographical or artificial barriers. Work-free buffer zones shall be demarcated with painted orange lath or via the installation of orange construction fencing and maintained until the breeding season is complete (typically by August 1), or until after the qualified biologist determines the young

have fledged (usually late June through mid-July) or that the nesting cycle is otherwise complete. **[MM BIO-1a]**

57. **Pre-Construction Bat Surveys.** No more than 10 days in advance of tree removal or the demolition and removal of buildings or structures, the project applicant shall retain a qualified biologist to conduct pre-construction surveys for bat roosts. If a colony of special-status bat species is located within and immediately adjacent to the impact areas during pre-construction surveys, the biologist shall determine the extent of a work-free buffer zone to be established around the colony to ensure that the colony will not be disturbed during project implementation. The extent of the work free buffer zone shall be determined by the biologist based on the species' sensitivity to disturbance (which can vary among species); the level of noise or construction disturbance; line of sight between the nest and disturbance; ambient noise levels; and consideration of other topographical or artificial barriers. Work-free buffer zones shall be demarcated with painted orange lath or via the installation of orange construction fencing. If there is a maternity colony present, demolition of that tree or structure shall not commence until after young are flying (i.e., after July 31, confirmed by a qualified bat biologist) and shall be completed before maternity colonies form the following year (i.e. prior to March 1). **[MM BIO-1b]**

Cultural Resources

58. Pursuant to CEQA Guidelines Section 15064.5(f), if prehistoric or historic-period archaeological resources are encountered, all construction activities within 100 feet shall halt and the Contra Costa County Department of Conservation and Development shall be notified. The project applicant shall retain an archaeologist that meets the qualifications listed in the Secretary of the Interior's Standards and Guidelines to inspect the find within 24 hours of discovery. If the find is determined to be potentially significant, the archaeologist, in consultation with the Contra Costa County Department of Conservation and Development and the culturally-affiliated Native American group(s) shall determine whether preservation in place is feasible. Consistent with Section 15126.4(b)(3), this may be accomplished through planning construction to avoid the resource; incorporating the resource within open space; capping and covering the resource; or deeding the site into a permanent conservation easement. If avoidance is not feasible, a qualified archaeologist, in consultation with the lead agency and the culturally-affiliated Native American group(s), shall prepare and implement a detailed treatment plan. Treatment of unique archaeological resources shall follow the applicable requirements of PRC Section 21083.2. Treatment for most resources would consist of (but would not be not limited to) sample excavation, artifact collection, site documentation, and historical research, with the aim to target the recovery of important scientific data contained in the portion(s) of the significant resource to be impacted by the Project. The treatment plan shall include provisions for analysis of data in a regional context, reporting of results within a timely manner, curation of artifacts and data at an approved facility, and dissemination of reports to local and state repositories, libraries, and interested professionals. **[MM CUL-2]**

59. In the event of an unanticipated discovery of a fossil or fossilized deposit during construction, the project applicant shall notify both a qualified paleontologist (as approved by the County) and the County of unanticipated discoveries. The qualified paleontologist, under contract to the project applicant, shall subsequently document the discovery. Excavations within 100 feet of the find shall be temporarily halted or diverted until a qualified paleontologist examines the discovery. The paleontologist shall notify the Contra Costa County Department of Conservation and Development to determine procedures that would be followed before construction is allowed to resume at the location of the find. The paleontologist shall oversee implementation of these procedures once they have been determined. **[MM CUL-3]**
60. In the event that any prehistoric or historic subsurface human remains are discovered during ground disturbing activities, the project applicant shall ensure that all work within 100 feet of the resources halt. The project applicant consult with the County and a qualified archaeologist (as approved by the County) to assess the significance of the find per CEQA Guidelines Section 15064.5. CEQA Guidelines Section 15064.5(e)(1), below, shall be followed: **[MM CUL-4]**
- (e) In the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the following steps should be taken:
- (1) There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:
- (A) The coroner of the County in which the remains are discovered must be contacted to determine that no investigation of the cause of death is required, and
- (B) If the coroner determines the remains to be Native American:
1. The coroner shall contact the Native American Heritage Commission within 24 hours;
 2. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American;
 3. The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98; or
- (2) Where the following conditions occur, the landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance:
- (A) The Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 48 hours after being notified by the Commission;

- (B) The identified descendant fails to make a recommendation; or
- (C) The landowner or his authorized representative rejects the recommendation of the descendant, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.

Greenhouse Gases

61. Implement a Project-Specific GHG Reduction Plan. The project applicant shall prepare a GHG Reduction Plan. The GHG Reduction Plan, which shall be prepared by a qualified expert, shall be subject to approval by the Director of the Community Development, and shall either demonstrate what additional or recurring mitigation efforts are projected to be required, or that no such additional or recurring mitigation efforts are required. Development permits shall be issued only for such development as is covered by an approved GHG Reduction Plan. The Plan shall demonstrate specific methods to achieve a GHG reduction performance standard for total project GHG emissions of no more than 4.6 MT CO₂e per year per service population. The GHG Reduction Plan shall specify the methods, and quantify the projected emissions reduction that would be achieved. Methods that may be included in the GHG Reduction Plan include, but are not limited to, the following: **[MM GHG-2, part 1]**

- a) Implement Mitigation Measures to Reduce Project-Generated GHG emissions from Mobile Sources (Vehicular Traffic). Listed below are several mitigation measures to reduce project-generated traffic GHG emissions, as identified in the California Air Pollution Control Officers Association (CAPCOA) guidance for GHG mitigation measures (CAPCOA 2010). The GHG Reduction Plan may include any one or more of the following for implementation:

Mitigation Category	Potential Mitigation Measure
Neighborhood/Site Enhancements	Provide Pedestrian Network Improvements Provide Traffic Calming Measures Implement a Neighborhood Electric Vehicle Network Incorporate Bike Lane Street Design (on-site) Provide Bike Parking in Non-Residential Projects Provide Electric Vehicle Parking
Parking Policy / Pricing	Limit Parking Supply Unbundle Parking Costs from Property Cost Implement Market Price Public Parking (On-Street)
Commute Trip Reduction Programs	Implement Commute Trip Reduction Program - Voluntary Implement Commute Trip Reduction Program - Required Implementation/Monitoring Provide Ride-Sharing Programs Implement Subsidized or Discounted Transit Program Provide End of Trip Facilities Encourage Telecommuting and Alternative Work Schedules

Mitigation Category	Potential Mitigation Measure
	Implement Commute Trip Reduction Marketing Implement Preferential Parking Permit Program Implement Car-Sharing Program Provide Employee-Sponsored Vanpool-Shuttle Implement Bike-sharing Programs Price Workplace Parking Implement Employee Parking "Cash-Out"
Transit System Improvements	Provide a Bus Rapid Transit System Implement Transit Access Improvements Expand Transit Network Increase Transit Service Frequency/Speed Provide Local Shuttles
Reference: CAPCOA. Quantifying Greenhouse Gas Mitigation Measures. August 2010. (http://capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf)	

- b) Install a Solar Photovoltaic System. Installation of solar photovoltaic system(s) that would remain in place as a component in achieving the performance standard.
 - c) Purchase GHG Emission Offsets. The project sponsor could purchase GHG Emission offsets. The offsets could include any of the following sources: (1) The California Air Resources Board (ARB) quarterly allowance auctions held as part of its Cap-and-Trade Program or (2) The Greenhouse Gas Reduction Exchange (GHG Rx); or (3) Climate Action Reserve Climate Reserve Tonnes (CAR CRTs).
 - d) The GHG Reduction Plan may be modified or amended to address changes in emissions, substitution of methods by which the project achieves the performance standard, and advances in the science, circumstance or technology related to greenhouse gas reduction, avoidance or offsets. These factors may eventually result in a GHG Reduction Plan that demonstrates the project will achieve the performance standard without further mitigation. Such modifications or amendments shall be effective only if prepared by a qualified expert, and approved by the County
62. The project applicant shall form one or more property owner's association(s) that encompasses all privately-held non-residential condominium properties within the project site. These associations shall be responsible for implementing the approved GHG Reduction Plan. Beginning no more than two years after the final County building inspection for the first building containing non-residential uses, these associations shall prepare, and submit, an Annual GHG Emissions Reduction Report (Annual Report) to the County for review and approval. The CC&Rs referenced below shall remain in force and the Annual Report shall be required for each operational year of the project until two consecutive Annual Reports demonstrate that no mitigation is required to reduce project-related GHG impacts to a less-than-significant level. The Annual Report shall summarize the project's implementation of

GHG reduction measures over the preceding year, intended upcoming changes, compliance with the conditions/requirements of the GHG Reduction Plan, and include a brief summary of the previous year's Annual Report results (starting with the second report). The Annual Report shall include a comparison of annual project emissions to the baseline emissions reported in the GHG Reduction Plan. The requirements of the GHG Reduction Plan shall be considered fully attained when project emissions are below applicable numeric BAAQMD CEQA thresholds . **[MM GHG-2, part 2]**

63. **Concurrent with the submittal of each Annual GHG Emission Reduction Report**, the property owner's association shall submit a fee of \$1,000 to cover CDD staff time for review and approval of the report.
64. To ensure implementation of the GHG Reduction Plan by the non-residential property owners' association(s), the applicant shall comply with all of the following: **[MM GHG-2, part 3]**
- a) The applicant shall ensure that Covenants, Conditions, and Restrictions (CC&Rs) are adopted and recorded against all privately-owned, non-residential condominium properties within the project site, and that the CC&Rs bind each subsequent non-residential condominium property owner.
 - b) Such CC&Rs shall obligate all owner(s) of non-residential condominium properties, jointly and severally, to implement and fund the costs of implementing this mitigation measure, including any enforcement costs, and shall provide that this funding obligation is secured by that owner's nonresidential condominium property.
 - c) Such CC&Rs shall obligate the non-residential condominium property owners' association to implement and enforce this mitigation measure.
 - d) Such CC&Rs shall identify Contra Costa County as a third party beneficiary of any provisions relating to implementation or enforcement of this mitigation measure, shall enable the County to enforce any such provisions, and shall preclude amendment of any such provisions without the express written consent of the Director of the Department of Conservation and Development or the County Zoning Administrator.
 - e) Such CC&Rs shall obligate the non-residential property owner(s) to forfeit their right to operate under the Planned Unit District zoning for any period during which a violation of this mitigation measure exists, as determined by Contra Costa County.
65. Measure GHG-2 will be enforced by the County against the owner(s) of the non-residential condominium properties in the Project. Enforcing this measure against only non-residential condominium properties is appropriate in light of the BAAQMD significance threshold, which assigns emissions on a per capita basis, and includes the per capita emissions generated by employees, customers and visitors. The per capita emissions assigned to residential uses include only the emissions generated by residents. Accordingly, if the non-residential

condominium properties cease to operate, emissions would not exceed the per capita emission threshold. **[MM GHG-2, part 4]**

66. The Applicant shall comply with the following requirements relating to greenhouse gas emissions:
- a) Prior to obtaining approval of the GHG Reduction Plan required by Mitigation Measure GHG-2, a copy of the GHG Reduction Plan shall be made available to the public.
 - b) The Annual Reports required by Mitigation Measure GHG-2 shall be made available to the public.
 - c) A minimum of sixteen (16) parking spaces in parking garages shall be pre-wired to accommodate electric vehicle charging, providing that all spaces count toward the parking requirement. Initially four (4) parking spaces will include EV charging stations and additional stations will be provided based upon actual demand. The 16 and 4 parking spaces are the total numbers throughout the entire project site.
 - d) The Applicant shall provide subsidized/discounted daily and/or monthly public transit passes for all interested Project residents and employees of Project retail businesses for the first year of Project operations after receipt of the first building certificate of occupancy.
 - e) Each Annual Report shall be accompanied by a deposit of \$1,000, which is subject to staff time and materials costs. Any unused portion of the deposit shall be credited toward the deposit required for the following year, and all unused funds shall be refunded to the Applicant at such time as Annual Reports are no longer required pursuant to Condition 0 above. Should staff costs associated with implementing Mitigation Measure GHG-2 exceed the deposit, additional payment will be required.

Hazards and Hazardous Materials

67. Prior to issuance of any demolition permit, the project applicant shall submit to the County a hazardous building material assessment prepared by qualified licensed contractors for each structure intended for demolition indicating whether LBP or lead-based coatings, ACMs, and/or PCB-containing equipment are present. **[MM HAZ-1a]**
68. If the assessment required by Mitigation Measure HAZ-1a indicates the presence of LBP, ACMs, and/or PCBs, the project applicant shall create and implement a health and safety plan in accordance with local, state, and federal requirements to protect demolition and construction workers and the public from risks associated with such hazardous materials during demolition or renovation of affected structures. **[MM HAZ-1b]**
69. If the assessment required by Mitigation Measure HAZ-1a finds presence of LBP, the project applicant shall develop and implement a LBP removal plan for the County's review and

approval. The plan shall specify, but not be limited to, the following elements for implementation: **[MM HAZ-1c]**

- a) Develop a removal specification approved by a Certified Lead Project Designer.
- b) Ensure that all removal workers are properly trained.
- c) Contain all work areas to prohibit off-site migration of paint chip debris.
- d) Remove all peeling and stratified LBP on building and non-building surfaces to the degree necessary to safely and properly complete demolition activities according to recommendations of the survey. The demolition contractor shall be responsible for the proper containment and disposal of intact LBP on all equipment to be cut and/or removed during the demolition.
- e) Provide on-site personnel and area air monitoring during all removal activities to ensure that workers and the environment are adequately protected by the control measures used.
- f) Clean up and/or vacuum paint chips with a high efficiency particulate air (HEPA) filter.
- g) Collect, segregate, and profile waste for disposal determination.
- h) Properly dispose of all waste.

70. If the assessment required by Mitigation Measure HAZ-1a finds asbestos, the project applicant shall prepare an asbestos abatement plan for the County's review and approval. The plan shall ensure that asbestos abatement is conducted by a licensed contractor prior to building demolition. Abatement of known or suspected ACMs shall occur prior to demolition or construction activities that would disturb those materials. Pursuant to an asbestos abatement plan a state-certified asbestos consultant shall be retained and approved by the County, and all ACMs shall be removed and appropriately disposed of by a state certified asbestos contractor. **[MM HAZ-1d]**

71. If the assessment required by Mitigation Measure HAZ-1a finds PCBs, the project applicant shall ensure that PCB abatement is conducted prior to building demolition or renovation. PCBs shall be removed by a qualified contractor and transported in accordance with Caltrans requirements. **[MM HAZ-1e]**

72. The contractor shall cease any earthwork activities upon discovery of any suspect soils (e.g., petroleum odor and/or discoloration) during construction. The contractor shall notify the Contra Costa County Health Services Department and retain a qualified environmental firm to collect soil samples to confirm the level of contamination that may be present. If contamination is found to be present, any further proposed groundbreaking activities within areas of identified or suspected contamination shall be conducted according to a site specific health and safety plan, prepared by a licensed professional. The contractor shall follow all procedural direction given by Contra Costa County Health Services Department to ensure that

suspect soils are isolated, protected from runoff, and disposed of in accordance with transportation laws and the requirements of the licensed receiving facility **[MM HAZ-3]**

Hydrology and Water Quality

73. Pre-project stormflow levels. No construction shall be permitted anywhere on the project site unless the applicant demonstrates, to the satisfaction of the Director of the Public Works Department, either of the following: **[MM HYD-3]**
- a) Upon completion of such construction, there will be sufficient detention capacity on the project site to detain the incremental increase in stormflow volume that occurs during the 24-hour, 10-year design storm, which incremental increase is due to the increase in impervious surface above pre-project levels. For the original project studied in the EIR, this standard could be met with a detention vault with capacity for approximately 12,300 cubic feet of stormwater on Site B, through smaller detention vaults, tanks or other facilities on each of the four privately-owned sites (Sites A, B, B1 and C), or through other means; or
 - b) Upon completion of such construction, the total square footage of impervious surface area throughout the project site will remain at or below pre-project levels.

Noise

74. Performance Standard for Mechanical Equipment. The project applicant shall have mechanical equipment designed such that noise levels do not result in an increase by 5 dB or more at adjacent properties. This performance standard may be achieved by selecting quieter equipment models, strategic siting, equipment setback, noise barriers or enclosures, acoustical louvers, and equipment noise attenuators. A qualified acoustical professional shall be retained by the project applicant and shall advise the design team regarding effective noise reduction measures. Prior to issuance of building permits for each building, the qualified acoustical professional shall verify that each building design incorporates the recommended noise reduction measures necessary to prevent an increase of 5 dB or more at adjacent properties. The project applicant shall submit such verification to Community Development Division staff for review and approval. Prior to the final building inspection for each building, the qualified acoustical professional shall verify in the field that the required noise reductions have been achieved. The project applicant shall submit such verification measurement data to Community Development Division staff for review and approval. **[MM NOI-1a]**
75. Exterior Noise Exposure Reduction through Design and Building Materials. The project applicant shall reduce on-site noise levels at Site A common use areas to the extent required to achieve compliance with General Plan Policy 11-2, as determined by the County according to the County's customary interpretation and application of that policy. A qualified acoustical professional shall be retained by the project applicant to recommend effective noise reduction measures, and verify that such measures have been incorporated into Site A building design. The project applicant shall submit such verification to Community Development Division staff for review and approval. Prior to the final building inspection for Site A, the qualified acoustical

professional shall verify in the field that the required noise reduction measures have been installed. The project applicant shall submit such verification measurement data to Community Development Division staff for review and approval. **[MM NOI-1b]**

76. Construction Hours Limitations. The project applicant shall incorporate the following practice into the construction contract agreement documents to be implemented by the construction contractor, to the satisfaction of the Community Development Division. **[MM NOI-2a]**

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. Exceptions to the hours limitations may be granted when reasonably necessary to allow construction to proceed (for example, to complete a single concrete pour).

77. The project applicant shall adequately isolate vibration-generating mechanical equipment per ASHRAE Guidelines to reduce ground-borne vibration levels at neighboring properties to or below the Caltrans vibration criteria of 0.1 inches per PPV. **[MM NOI-2b]**

78. The project applicant shall install signage in the pool area for Site B with language substantially similar to the following: **[MM NOI-3]**

- a) Pool hours are from 7:00 a.m. to 11:00 p.m. on weekends and holidays, and 7:00 a.m. to 10:00 p.m. on other days. This pool area may be used only during pool hours.
- b) The Contra Costa County Code (Chapter 82-44) precludes events of 75 people or more without a Temporary Event Permit or a Land Use Permit.
- c) No amplified live music is allowed in this pool area without a Temporary Event Permit or a Land Use Permit.
- d) Mitigation Measure NOI-3 shall be interpreted and applied to prohibit pool hours that exceed the stated hours, but not to require that the pool remain open during all such hours.

79. Noise Controls During Construction. The project applicant shall incorporate the following practices into the construction contract agreement documents to be implemented by the construction contractor, to the satisfaction of the Community Development Division. **[MM NOI-4]**

- a) During construction, mufflers shall be provided for all heavy construction equipment and all stationary noise sources in accordance with the manufacturers' recommendations.
- b) Limit unnecessary idling of internal combustion engines (generally no more than 2 minutes).
- c) Stationary noise sources and staging areas shall be located as far as is feasible from existing noise sensitive receivers. Locating stationary noise sources near existing roadways away

from adjacent properties is preferred. If located otherwise, stationary noise sources are to be enclosed or shielded from neighboring noise-sensitive properties with noise barriers to the extent feasible.

- d) Air compressors and pneumatic equipment shall be equipped with mufflers, and impact tools should be equipped with shrouds or shields.
 - e) A construction liaison shall be designated to ensure coordination between construction staff and neighbors to minimize disruptions due to construction noise. Neighboring property owners within 300 feet of construction activity shall be notified in writing of the contact information for the construction liaison. Additionally, a sign shall be posted at the project site with the construction liaison's name and contact information.
 - f) Neighboring property owners within 300 feet of construction activity shall be notified in writing of the construction schedule and at least 30 days prior to loud noise-generating activities. Notification is to include the nature and estimated duration of the activity.
 - g) Prior to construction, a qualified acoustical professional shall review specific equipment and site locations that would be expected to generate noise levels above DNL 90 dB (one-hour Leq) at adjacent residential properties and DNL 100 dB (one hour Leq) at adjacent commercial properties. The study shall determine additional mitigation measures, as feasible, to reduce noise levels by at least five decibels and below the aforementioned limits. Additional measures might include local barriers around specific construction equipment or property line barriers. The location, height, and extent of the barriers should be provided by the acoustical professional.
 - h) A qualified acoustical professional shall retained as needed to address neighbor complaints as they occur. If complaints occur, noise measurements could be conducted to determine if construction noise levels at adjacent property lines are within the performance standards. Short-term or long-term construction noise monitoring could also be utilized to diagnose complaints and determine if additional mitigation is required for certain phases of construction as needed.
80. Mitigation Measures NOI-2a and NOI-4 shall be implemented to restrict noise likely to disturb nearby sensitive receptors, and therefore shall not apply to activities that are (a) conducted inside a building after that building shell (including windows and doors) is constructed, and (b) involve the use of hand-held tools only and do not require major construction equipment.

Geology

81. All improvements within the proposed development shall incorporate the structural design-level recommendations provided within the geotechnical investigation report of Rockridge Geotechnical dated October 30, 2013, as updated and approved by the Department of Conservation and Development, Community Development Division.

Transportation and Traffic

82. Prior to issuance of a grading permit, the applicant shall undertake an inspection of Boulevard Way, from Olympic Boulevard to Mt. Diablo Boulevard. To the extent the applicant claims any damage is pre-existing, such damage shall be thoroughly documented by photographs, mapping and reference markings or measurement points to assist in determining whether any damage or movement has occurred as a result of construction. Prior to the final building inspection for each building, the project applicant shall conduct a similar survey to identify any damage caused by the Project. Applicant shall be responsible for repairing any damage caused by the Project to the satisfaction of the Public Works Department. **[MM TRA-2b]**
83. Design Changes to Improve Bicycle Access. The Project applicant shall work with the County to designate the segment of Boulevard Way with diagonal on street parking spaces as a Class III bike route with shared bicycle lane pavement markings. Shared lane markings shall be installed near the street centerline along the Boulevard Way project frontage to guide bicyclists away from parked vehicles. The travel lane adjacent to parallel parking spaces along Boulevard Way shall be at least approximately 16.7 feet wide. **[MM TRA-5]**
84. In addition to the pavement markings required in the condition above, the applicant agrees to provide shared bicycle lane pavement markings beyond the project site. The markings shall extend west along Boulevard Way to the intersection of Kinney Drive, and east along Boulevard Way to the Walnut Creek city limit.

Construction Staging and Parking

85. When feasible during each construction phase of the project, the Applicant shall advise all contractors that staging activities, storage of construction equipment, and contractor employee parking shall be accommodated at the project site.
86. During construction of the final phase of the development, or when onsite staging and contractor employee parking cannot otherwise be accommodated, the Applicant shall advise all contractors that staging activities and/or contractor employee parking shall be accommodated at one of the two sites identified on the staging plan exhibit submitted to the County on April 5, 2017. In the event that the identified site becomes unavailable, the Applicant shall notify the CDD and provide another off-site location.

Construction Noise Restrictions

87. All construction activities shall be limited as specified in Mitigation Measures NOI-2a and NOI-4. For purposes of determining construction days, State and Federal holidays shall be the calendar dates that these holidays are observed by the State or Federal government as listed below:
- a) New Year's Day (State and Federal)

- b) Birthday of Martin Luther King, Jr. (State and Federal)
- c) Washington's Birthday (Federal)
- d) Lincoln's Birthday (State)
- e) President's Day (State and Federal)
- f) Cesar Chavez Day (State)
- g) Memorial Day (State and Federal)
- h) Independence Day (State and Federal)
- i) Labor Day (State and Federal)
- j) Columbus Day (State and Federal)
- k) Veterans Day (State and Federal)
- l) Thanksgiving Day (State and Federal)
- m) Day after Thanksgiving (State)
- n) Christmas Day (State and Federal)
- o) For specific details on the actual day the State and Federal holidays occur, please visit the following websites:

Federal Holidays: <http://www.opm.gov/fedhol>
 California Holidays: <http://www.ftb.ca.gov/aboutftb/holidays.shtml>

Construction Traffic

88. Prior to the issuance of building and/or grading permits, the project Applicant shall submit a Traffic Control Plan for review and approval of the County Public Works Department. At minimum, the plan shall include the following elements:
- a) Suggested truck routes
 - b) Points of ingress and egress to the project site
 - c) Potential need for temporary traffic signals
 - d) Location and configuration of construction employee parking

**PUBLIC WORKS DEPARTMENT CONDITIONS OF APPROVAL
FOR COUNTY FILES #SD13-9359 and #DP13-3035**

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/vesting tentative map submitted to Department of Conservation and Development, Community Development Division, dated February 15, 2017.

UNLESS OTHERWISE NOTED, THE APPLICANT SHALL COMPLY WITH THE FOLLOWING CONDITIONS OF APPROVAL PRIOR TO CDD STAMP-APPROVAL OF PLANS FOR THE FIRST BUILDING PERMIT OR PRIOR TO FILING THE FIRST FINAL MAP:

General Requirements

89. 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 Vesting Tentative Map received by the Department of Conservation and Development, Community Development Division, dated February 15, 2017.
90. Applicant shall submit improvement plans for each site 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, as applicable to that site. The below conditions of approval shall be subject to the review and approval of Public Works Department.
91. The first phase of this project shall include the filing of a Large Lot Final Map over the project limits to dedicate/vacate public street rights of way and merge or realign existing property lines to conform with the subsequent development of the individual sites. Such Large Lot Final Map shall not constitute a Final Map over the Vesting Tentative Map for the development within the boundaries of Site-A, Site-B/B-1, and Site-C. At the discretion of the Director of the Public Works Department, such Large Lot Final Map may defer the dedication/vacation of the public street rights of way to the Final Map of the relevant individual site.
- 91a. Prior to recordation of a Final Map for each site, the Applicant shall record a covenant acceptable to the Director of Public Works against the private property within such Final Map pursuant to which the Applicant shall be obligated as follows:
 - a) to accept ownership of the vacated property described in the foregoing condition within such final map;

- b) to make such vacated property available for public parking;
- c) to register with the Public Works Department to establish a private off-street parking meter program on such property in accordance with County Code Section 46-14, to the satisfaction of the Director of the Public Works Department; and
- d) to pay the County the net revenues, if any, received from such off-street parking program after deducting costs associated with (i) maintaining and operating such parking program, (ii) maintaining in good repair all improvements within Site-A, -B/B1, and -C on onsite sidewalks adjacent to public rights of way, and onsite street parking areas adjacent to public rights of way; and (iii) maintaining in good repair all improvements within Boulevard Way that are required to be maintained by the Applicant.

Roadway Improvements (Frontage/Off-Site)

- 92. Applicant shall construct curb sidewalk, necessary longitudinal and transverse drainage, street lighting, and pavement transitions, the roundabout and appurtenant signage, striping and safety improvements as shown on the approved project plans or as deemed necessary by the Public Works Director, provided that the first phase shall include a roundabout.
- 93. Any cracked and displaced curb, gutter, and sidewalk shall be removed and replaced along the project frontage. 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.

Access to Adjoining Property

- 94. Applicant shall furnish proof to 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.
- 95. Applicant shall obtain an encroachment permit from the Application and Permit Center, if necessary, for construction of driveways or other improvements within the right of way of Boulevard Way and Saranap Avenue.
- 96. Applicant shall apply for the vacation of excess public right of way along Boulevard Way and Saranap Avenue and pay the appropriate fee, as deemed necessary by the Public Works Director. Subject to Board of Supervisors approval, said vacations within the limits of the project site may be vacated and merged with the abutting frontage parcels on the Large Lot Final Map to be filed prior to issuance of building permits.
- 97. Consideration of right of way vacations along the Boulevard Way and Saranap Avenue frontages of adjacent property will be subject to mutual consent between the County, Applicant and fronting property owner. If the applicant/owner is unable to obtain the land

rights necessary to operate and accommodate the development's metered parking program, the existing street right of way shall remain public right of way.

97a. The County and the developer shall enter into an agreement for the public right-of-way and maintenance and access.

98. Applicant shall only be permitted access at the locations shown on the approved site/development plan.

Road Alignment/Intersection Design/Sight Distance

99. Applicant shall provide sight distance at the on-site driveways and Boulevard Way Road for a design speed of 30 miles per hour. The Applicant shall trim vegetation, as necessary, to provide sight distance at these driveways. Any new landscaping, signs, fencing, retaining walls, or other obstructions proposed at the driveways shall be setback to ensure that the sight lines are clear.

Road Dedications

100. Property Owner shall convey to the County, by Offer of Dedication, the right of way necessary for the planned improvements as shown on the approved site plans for the project. Said dedications within the limits of the project site shall be dedicated on the Large Lot Final Map as provided in COA #91.

Street Lights

101. Applicant shall annex all private property within the project site that is then owned by the Applicant or its affiliate to the Community Facilities District (CFD) 2010-1 formed for Countywide Street Light Financing prior to filing the first phase Final Map. Any remaining private property in the project site shall be annexed prior to Final Map for the site encompassing such property. Annexation into a street light service area does not include the transfer of ownership and maintenance of street lighting on private roads.

Landscaping

102. For all landscaping within public right of way, the Applicant shall submit at least four sets of landscape and automatic irrigation plans and cost estimates, prepared by a licensed landscape architect, to the Public Works Department for review and approval, prior to filing of the Final Map, or as deemed necessary by the Public Works Director. Applicant shall pay appropriate fees in accordance with County Ordinance.

103. All landscaping in publicly accessible areas to be maintained by the property owner shall be submitted to the Zoning Administrator for review and approval.

Bicycle-Pedestrian Facilities

104. 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; accommodate a minimum 4-foot landing on top of any curb ramp proposed.
105. 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.
106. The applicant shall submit detailed plans for the Class III bike route that emphasize safety for bicyclists, to the County (DCD and PWD) for review and approval.

Transit

107. There are existing bus stops/shelters along both sides of the street within the area intended to provide diagonal on-street parking. The Applicant shall coordinate with the Central Contra Costa Transit Authority and Public Works Department (Transportation and Real Property Divisions) regarding relocation of these facilities. Alternatively, remove the proposed parking in these areas of conflict. Bus stop relocation improvement plans shall be reviewed by Public Works Department.

Parking

108. Any "No Parking" and restricted parking zone signs to be installed along public right of way portions of Boulevard Way and Saranap Avenue shall be subject to review and approval by the Public Works Department and, if required, review and approval of the Board of Supervisors.
109. Restricted parking zones on private property, including vacated public right of way along portions of Boulevard Way and Saranap Avenue shall be subject to the requirements of County Ordinance Code Chapter 46-14 and to the satisfaction of the Public Works Department.

Utilities/Undergrounding

110. Applicant shall underground all new and existing utility distribution facilities, including those along the frontage of Saranap 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

111. Prior to the start of construction-related activities, the Applicant shall prepare a Traffic Control Plan (TCP), including a haul route, for the review and approval of the Public Works Department.
112. The Applicant shall undertake an inspection of Boulevard Way, from Olympic Boulevard to Mt. Diablo Boulevard. To the extent the Applicant claims any damage is pre-existing, such damage shall be thoroughly documented by photographs, mapping and reference markings or measurement points to assist in determining whether any damage or movement has occurred as a result of construction.
113. Prior to acceptance of project street improvements as complete and release of Building Permit certificates of occupancy, the Applicant shall construct any recommended repairs to restore any roads, easements, and/or rights-of-way to pre-project conditions.

Maintenance of Facilities

114. The Applicant shall enter into a maintenance agreement with the County that grants a license to the Applicant to construct and maintain improvements within County rights of way within the development, and requires the Applicant to maintain other public improvements within the development. The maintenance agreement shall require the Applicant to indemnify and defend the County from any claims that arise from the construction, installation, repair, replacement, maintenance, removal, relocation, and operation of the improvements, and to insure for losses under a policy with a combined coverage limit of at least \$1,000,000 that names the County as an additional insured. The maintenance agreement shall include exhibits identifying the proposed locations of the improvements to be installed within the development. After improvements are constructed for each phase of the development, the maintenance agreement shall require exhibits to be replaced to show the actual location of the improvements. Upon the approval of the Public Works Director, the maintenance agreement may be assigned to the owners' association established for the development.

Drainage Improvements

115. The Applicant shall collect and convey all stormwater entering and/or originating on this property, without diversion and within an adequate storm drainage facility, to a natural watercourse having definable bed and banks, or to an existing adequate public storm drainage system which conveys the storm waters to a natural watercourse, in accordance with Division 914 of the Ordinance Code.

The Applicant shall demonstrate, to the satisfaction of the Public Works Director, either of the following:

- a) Upon completion of such construction, there will be sufficient detention capacity on the project site to detain the incremental increase in stormflow volume that occurs during the 24-hour, 10-year design storm, which incremental increase is due to the increase in impervious surface above pre-project levels. This standard could be met with a detention vault with capacity for approximately 12,300 cubic feet of stormwater on Site B, through smaller detention vaults, tanks or other facilities on each of the four privately-owned sites (Sites A, B, B1 and C), or through other means; or
- b) Upon completion of such construction, the total square footage of impervious surface area throughout the project site will remain at or below pre-project levels.

Miscellaneous Drainage Permits

116. Applicant shall design and construct all storm drainage facilities in compliance with the Ordinance Code and Public Works Department design standards.
117. Applicant shall prevent storm drainage from draining across the sidewalk(s) and driveway(s) in a concentrated manner.

National Pollutant Discharge Elimination System (NPDES)

118. 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 storm water 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 storm water drainage:
 - Minimize the amount of directly connected impervious surface area.
 - Install approved full trash capture devices on all catch basins (excluding catch basins within bioretention basins) as reviewed and approved by Public Works Department. Trash capture devices shall meet the requirements of the County's NPDES permits.
 - Place advisory warnings on all catch basins and storm drains using current storm drain markers.
 - Construct concrete driveway weakened plane joints at angles to assist in directing run-off to landscaped/pervious areas prior to entering the street curb and gutter.
 - Other alternatives comparable to the above as approved by Public Works Department.
 - Shallow roadside and on-site swales.
 - Distribute public information items regarding the Clean Water Program and lot specific

- IMPs to buyers.
- 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.

Stormwater Management and Discharge Control Ordinance

119. 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 final map or issuance of a building permit, whichever occurs first. 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.
120. 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).
121. Storm water 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.
122. Prior to filing of the final map or issuance of a building permit, whichever occurs first, the property owner(s) of all property then owned by the Applicant or its affiliate shall enter into a standard Stormwater Management Facility Operation and Maintenance Agreement with Contra Costa County, in which such property owner(s) shall accept responsibility for and related to operation and maintenance of the stormwater facilities on such property, and grant access to relevant public agencies for inspection of stormwater management facilities. Any remaining private property in the project site shall be subjected to such an agreement prior to Final Map for the site encompassing such property.
123. Prior to filing of the final map or issuance of a building permit, whichever occurs first, the property owner(s) shall annex all property within the project site that is then owned by the Applicant or its affiliate 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. Any remaining private property in the project site shall be annexed prior to Final Map for the site encompassing such property.

124. Provision C.10, Trash Load Reduction, of the County's NPDES permits requires control of trash in local waterways. To prevent or remove trash loads from municipal storm drain systems, trash capture devices shall be installed in catch basins (excludes those located within a bioretention/stormwater treatment facility). Devices must meet the County's NPDES permits and approved by Public Works Department. Location must be approved by Public Works Department.
125. All treatment BMP/IMPs constructed within each phase of the proposed development shall be designed and sized to treat, at a minimum, storm water generated from each phase constructed.
126. Prior to initiation of use or issuance of a building permit, the Applicant shall submit a Stormwater Pollution Prevention Plan (SWPPP) for review and approval of the Public Works Department. The SWPPP shall document Best Management Practices (BMPs) that will be incorporated into the project to minimize the discharge of pollutants from the project. The SWPPP shall describe the characteristics of the project and detail BMPs and other activities that have the potential to result in pollutant discharges facility. Site plans and drawing shall be incorporated into the SWPPP as necessary. Any permanent structural BMPs must be constructed and inspected prior to final inspection for building permits.

ADVISORY NOTES

ADVISORY NOTES ARE NOT CONDITIONS OF APPROVAL; THEY ARE PROVIDED TO ALERT THE APPLICANT TO ADDITIONAL ORDINANCES, STATUTES, AND LEGAL REQUIREMENTS OF THE COUNTY AND OTHER PUBLIC AGENCIES THAT MAY BE APPLICABLE TO THIS PROJECT.

- A. NOTICE OF OPPORTUNITY TO PROTEST FEES, ASSESSMENTS, DEDICATIONS, RESERVATIONS, OR OTHER EXACTIONS PERTAINING TO THE APPROVAL OF THIS PERMIT.
Pursuant to California Government Code Section 66000, et seq., the Applicant has the opportunity to protest fees, dedications, reservations, or exactions required as part of this project approval. To be valid, a protest must be in writing pursuant to Government Code Section 66020 and must be delivered to the Community Development Division within a 90-day period that begins on the date that this project is approved. If the 90th day falls on a day that the Community Development Division is closed, then the protest must be submitted by the end of the next business day.
- B. The Applicant will be required to comply with the requirements of the Bridge/Thoroughfare Fee Ordinance for the South Walnut Creek Area of Benefit as adopted by the Board of Supervisors.

- C. 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.
- D. 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.
- F. Although the Storm Water 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 storm water 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.
- G. Prior to commencement of the use approved under this permit, the Applicant may wish to contact the following agencies to determine if additional requirements and/or additional permits are required as part of the proposed project:
- County Building Inspection Division
 - County Health Services Department, Environmental Health Division
 - Central Contra Costa Sanitary District
 - Contra Costa County Fire Protection District
 - East Bay Municipal Utility District

AREA OF GENERAL
PLAN AMENDMENT
AND REZONING
±4.5 AC

PARCEL "A"
DEVELOPMENT
4.15 AC

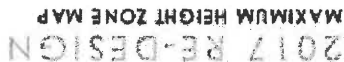
PARCEL "B"
DEVELOPMENT
4.15 AC

PARCEL "C"
DEVELOPMENT
4.15 AC

1" = 40'

North Arrow

[illegible]

[illegible]

Maximum heights for each marked area shall not exceed the heights set forth in this map. Locations of marked areas shown above are approximate. High points and Low Points of each lot reflect proposed (finish) elevations.

NOTES: The maximum heights for each building in this map reflect the preliminary designs submitted to the County, plus one-half foot of additional height to allow for the construction plan or error that is generally needed when using preliminary (schematic) designs. Construction level plans would be submitted and reviewed post County Approval, as applicable.

NOTES: The maximum heights for each building in this map reflect the preliminary designs submitted to the County, plus one-half foot of additional height to allow for the construction plan margin of error that is generally needed when affixing preliminary (schematic) designs. Construction level plans would be submitted and reviewed post County Approval, as applicable.



ATTACHMENT 6 - SUMMARY OF IMPACTS OF THE 2017 Plan

Environmental Impact	Significance before Mitigation ¹	Mitigation Measures	Significance after Mitigation
Aesthetics			
Impact 4.1-1: The project would have a substantial adverse effect on a scenic vista.	Significant	Mitigation Measure AES-1: Reduce Height. To avoid significant obstruction of views of the major Las Trampas Regional Wilderness ridge line when viewed from the bend in Saranap Avenue at Hull's Mortuary (RDEIR Viewpoint Number 1), the maximum roofline height of Site A buildings shall be reduced as necessary to substantially eliminate the ridge obstruction. In no case shall the maximum height of the Site A buildings exceed the heights reflected in Figure 6.5-3 (Mitigated Plan Alternative Height Zone Map) in the RDEIR.	Less than Significant
Impact 4.1-2: The project would substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway.	Less than Significant	None required.	NA
Impact 4.1-3: The project could substantially degrade the visual character or quality of the project site or its surroundings.	Significant	Mitigation Measure AES-3a: Variety of Styles. To avoid monotony of style and to be compatible with the eclectic nature of the surrounding development, the project applicant shall employ differing architectural styles which shall include, at a minimum, at least three of the following styles: Contemporary Cottage Townhome Craftsman European Village Contemporary Saltbox Contemporary Lodge	Less than Significant

¹ Impacts labelled "significant" before mitigation include both significant and potentially significant impacts.

Environmental Impact	Significance before Mitigation1	Mitigation Measures	Significance after Mitigation
		<p>Mitigation Measure AES-3b: Design Features. To soften or break up building masses, the project applicant shall include the following design elements:</p> <p>The same level of architectural detail shall be extended to all building exteriors, and no large blank walls on any side of any building shall be visible from any public street or off-site location.</p> <p>The exterior vertical surfaces of all buildings shall be broken up and a monolithic appearance shall be avoided. The arrangement and size of design elements shall be varied. Buildings shall include variations in color, building components, materials, and window placement.</p> <p>This requirement may be accomplished with design elements such as projections, recesses, modulation, and corner treatments. Other treatments that would satisfy this condition include, but are not limited to, columns, awnings, canopies, recessed entrance areas, special entrance treatments, decks, railings, louvers, vents, wall panels, curtain walls, and slope glazed systems and variety in the building components.</p> <p>For ground-level retail under residential uses, the project applicant shall use a distinctive parapet, horizontal band, or other design element to distinguish the retail from the upper residential floors. The project applicant shall ensure that design elements are incorporated into the ground level retail uses to create a sense of openness from the sidewalk into the retail space, using such items as visually penetrable storefront windows, roll-up window walls, nano-walls, or other types of window walls.</p> <p>Along the northern side of Boulevard Way, a clearly defined base and roof edge shall be included to provide a distinct base, middle, and top of the façade.</p> <p>Mitigation Measure AES-3c: Color Palette. The project applicant shall ensure that primary color palettes, and materials for the project buildings are appropriate to the architectural styles chosen pursuant to Mitigation Measure AES-3a.</p> <p>Mitigation Measure AES-3d: Additional Height Reduction. In addition to the height reductions required by Mitigation Measure AES-1, the applicant shall lower the height of the Site A building further. The height of all buildings shall not exceed the maximum heights set forth in Figure 4-1, Mitigation Measure AES-3d Height Zone Map. The project shall also employ flat roofs on Site A to avoid any additional height that would be required for gabled roofs. Roof heights on Site A shall be stepped back from Saranap Avenue as set forth in Figure 4-1, in the Response to Comments Document/FEIR</p>	

Environmental Impact	Significance before Mitigation¹	Mitigation Measures	Significance after Mitigation
Impact 4.1-4: The project could create a substantial new source of light or glare that would adversely affect day or nighttime views of the area.	Less than Significant	None required.	NA
Agriculture and Forestry Resources			
The project would not result in any impacts to agricultural or forestry resources.	No Impact	None required.	NA
Air Quality			
Impact 4.3-1: Emissions from project construction and operation would contribute to existing air quality violations.	Less than Significant	None required.	NA

Environmental Impact	Significance before Mitigation1	Mitigation Measures	Significance after Mitigation
<p>Impact 4.3-2: The project would expose sensitive receptors to Air Contaminants.</p>	Significant	<p>Mitigation Measure AIR-2a: Protections on Specific Equipment. The project applicant shall ensure that all off-road construction equipment has Tier 3 rated engines. The project applicant shall also ensure that the following construction equipment has a Diesel Particulate Filter (DPF): excavators in both the demolition and excavation construction phases, forklifts in the building construction phase, air compressors in the architectural coating phases, and rollers in the street improvements phase of construction.</p> <p>Mitigation Measure AIR-2b: Reduced Idling. Contractors shall be restricted to a 2 minute idling limit on all construction equipment.</p> <p>Mitigation Measure AIR-2c: Achieve Performance Standard. As an alternative to measures 2a and 2b above, the project shall achieve a performance standard of not exceeding the BAAQMD thresholds relating to cancer risk and PM2.5, which shall be demonstrated to the satisfaction of the County by a qualified air quality consultant. Alternative means of achieving this Performance Standard include using Tier 4 equipment, or Level 3 VDECS on Tier 3 equipment, for construction equipment other than the equipment identified in measure 2a above; use of alternative fuels (biodiesel/biofuel and/or hybrid electrification); and MERV filters.</p>	Less than Significant
<p>Biological Resources</p>			
<p>Impact 4.4-1: The project could have a substantial effect, either directly or through habitat modifications, on any species as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife</p>	Significant	<p>Mitigation Measure BIO-1a: Pre-construction/Pre-disturbance Nesting Surveys. For construction activities expected to be initiated during the nesting season (i.e., between February 1 and August 31), the project applicant shall retain a qualified biologist to conduct pre-construction surveys for nesting birds to ensure that project activities do not result in the "take" of fertile eggs, nestlings, or nesting raptors, or the abandonment of active nests. Surveys shall be conducted no more than ten days prior to the initiation of project activities. During the survey, the biologist shall inspect all trees and other potential nesting habitats (e.g., shrubs, and buildings) within 500 feet of the project site. If an active nest is found sufficiently close to work areas to be disturbed by project activities, the biologist shall determine the extent of a work-free buffer zone to be established around the nest (in urban areas such as the project site, buffers are typically 300 feet for raptors [i.e., hawks and owls] and 75 feet for common songbirds) to ensure that no nests of species protected by the MBTA and California Fish and Game Code will be disturbed during project implementation. The extent of the work free buffer zone shall be determined by the biologist based on the species' sensitivity to disturbance (which can</p>	Less than Significant

Environmental Impact	Significance before Mitigation1	Mitigation Measures	Significance after Mitigation
or U.S. Fish and Wildlife Service.		<p>vary among species; the level of noise or construction disturbance; line of sight between the nest and disturbance; ambient noise levels; and consideration of other topographical or artificial barriers. Work-free buffer zones shall be demarcated with painted orange lath or via the installation of orange construction fencing and maintained until the breeding season is complete (typically by August 1), or until after the qualified biologist determines the young have fledged (usually late June through mid-July) or that the nesting cycle is otherwise complete.</p> <p>Mitigation Measure BIO-1b: Pre-Construction Bat Surveys. No more than 10 days in advance of tree removal or the demolition and removal of buildings or structures, the project applicant shall retain a qualified biologist to conduct pre-construction surveys for bat roosts. If a colony of special-status bat species is located within and immediately adjacent to the impact areas during pre-construction surveys, the biologist shall determine the extent of a work-free buffer zone to be established around the colony to ensure that the colony will not be disturbed during project implementation. The extent of the work free buffer zone shall be determined by the biologist based on the species' sensitivity to disturbance (which can vary among species); the level of noise or construction disturbance; line of sight between the nest and disturbance; ambient noise levels; and consideration of other topographical or artificial barriers. Work-free buffer zones shall be demarcated with painted orange lath or via the installation of orange construction fencing. If there is a maternity colony present, demolition of that tree or structure shall not commence until after young are flying (i.e., after July 31, confirmed by a qualified bat biologist) and shall be completed before maternity colonies form the following year (i.e. prior to March 1).</p>	
Impact 4.4-2: The project would not conflict with any local plans or ordinances protecting biological resources.	Less than Significant	None required.	NA
Cultural Resources			
Impact 4.5-1: The project would	Less than Significant	None required.	NA

Environmental Impact	Significance before Mitigation1	Mitigation Measures	Significance after Mitigation
have no substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.5.			
Impact 4.5-2: Implementation of the project could result in a substantial adverse change in the significance of an archaeological resource.	Significant	Mitigation Measure CUL-2: Pursuant to CEQA Guidelines Section 15064.5(f), if prehistoric or historic-period archaeological resources are encountered, all construction activities within 100 feet shall halt and the Contra Costa County Department of Conservation and Development shall be notified. The project applicant shall retain an archaeologist that meets the qualifications listed in the Secretary of the Interior's Standards and Guidelines to inspect the find within 24 hours of discovery. If the find is determined to be potentially significant, the archaeologist, in consultation with the Contra Costa County Department of Conservation and Development and the culturally-affiliated Native American group(s), shall determine whether preservation in place is feasible. Consistent with Section 15126.4(b)(3), this may be accomplished through planning construction to avoid the resource; incorporating the resource within open space; capping and covering the resource; or deeding the site into a permanent conservation easement. If avoidance is not feasible, a qualified archaeologist, in consultation with the lead agency and the culturally-affiliated Native American group(s), shall prepare and implement a detailed treatment plan. Treatment of unique archaeological resources shall follow the applicable requirements of PRC Section 21083.2. Treatment for most resources would consist of (but would not be not limited to) sample excavation, artifact collection, site documentation, and historical research, with the aim to target the recovery of important scientific data contained in the portion(s) of the significant resource to be impacted by the project. The treatment plan shall include provisions for analysis of data in a regional context, reporting of results within a timely manner, curation of artifacts and data at an approved facility, and dissemination of reports to local and state repositories, libraries, and interested professionals.	Less than Significant
Impact 4.5-3: Implementation of the project could directly or indirectly destroy a unique	Significant	Mitigation Measure CUL-3: In the event of an unanticipated discovery of a fossil or fossilized deposit during construction, the project applicant shall notify both a qualified paleontologist (as approved by the County) and the County of unanticipated discoveries. The qualified paleontologist, under contract to the project applicant, shall subsequently document the discovery. Excavations within 100	Less than Significant

Environmental Impact	Significance before Mitigation1	Mitigation Measures	Significance after Mitigation
paleontological resource or site or unique geological feature.		<p>feet of the find shall be temporarily halted or diverted until a qualified paleontologist examines the discovery. The paleontologist shall notify the Contra Costa County Department of Conservation and Development to determine procedures that would be followed before construction is allowed to resume at the location of the find. The paleontologist shall oversee implementation of these procedures once they have been determined.</p>	
<p>Impact 4.5-4: Implementation of the project could disturb human remains, including those interred outside of formal cemeteries.</p>	Significant	<p>Mitigation Measure CUL-4: In the event that any prehistoric or historic subsurface human remains are discovered during ground disturbing activities, the project applicant shall ensure that all work within 100 feet of the resources halt. The project applicant consult with the County and a qualified archaeologist (as approved by the County) to assess the significance of the find per CEQA Guidelines Section 15064.5. CEQA Guidelines Section 15064.5(e)(1), below, shall be followed:</p> <p>(e) In the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the following steps should be taken:</p> <p>(1) There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:</p> <p>(A) The coroner of the county in which the remains are discovered must be contacted to determine that no investigation of the cause of death is required, and</p> <p>(B) If the coroner determines the remains to be Native American:</p> <ol style="list-style-type: none"> 1. The coroner shall contact the Native American Heritage Commission within 24 hours; 2. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American; 3. The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98; or <p>(2) Where the following conditions occur, the landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance.</p> <p>(A) The Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed</p>	

Environmental Impact	Significance before Mitigation1	Mitigation Measures	Significance after Mitigation
		<p>to make a recommendation within 48 hours after being notified by the Commission;</p> <p>(B) The identified descendant fails to make a recommendation; or</p> <p>(C) The landowner or his authorized representative rejects the recommendation of the descendant, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.</p>	
Geology and Soils			
Impact 4.6-1: project development could be damaged by seismically induced shaking and thereby expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death.	Less than Significant	None required.	NA
Impact 4.6-2: The project could result in soil erosion during excavation, and grading, and construction activities.	Less than Significant	None required.	NA
Impact 4.6-3: The project could result in on- or off-site lateral spreading, subsidence,	Less than Significant	None required.	NA

Environmental Impact	Significance before Mitigation1	Mitigation Measures	Significance after Mitigation
liquefaction, or collapse.			
Impact 4.6-4: project implementation could occur on expansive soils, creating risks to life and property.	Less than Significant	None required.	NA
Greenhouse Gas Emissions and Energy			
Impact 4.7-1: Construction of the project would result in emissions of greenhouse gases that could contribute to global climate change.	Less than Significant	None required.	NA
Impact 4.7-2: project operations would result in emissions of greenhouse gases that could contribute to global climate change.	Significant	<p>Mitigation Measure GHG-2: Implement a project-specific GHG Reduction Plan. The project applicant shall prepare a GHG Reduction Plan. The GHG Reduction Plan, which shall be prepared by a qualified expert, shall be subject to approval by the Director of Community Development, and shall either demonstrate what additional or recurring mitigation efforts are projected to be required, or that no such additional or recurring mitigation efforts are required. Development permits shall be issued only for such development as is covered by an approved GHG Reduction Plan. The Plan shall demonstrate specific methods to achieve a GHG reduction performance standard for total project GHG emissions of no more than 4.6 MT CO₂e per year per service population. The GHG Reduction Plan shall specify the methods, and quantify the projected emissions reduction that would be achieved. Methods that may be included in the GHG Reduction Plan include, but are not limited to, the following:</p> <ul style="list-style-type: none"> • Implement Mitigation Measures to Reduce project-Generated GHG emissions from Mobile Sources (Vehicular Traffic). Listed below are several mitigation measures to 	Less than Significant

Environmental Impact	Significance before Mitigation1	Mitigation Measures	Significance after Mitigation																									
		<p>reduce project-generated traffic GHG emissions, as identified in the California Air Pollution Control Officers' Association (CAPCOA) guidance for GHG mitigation measures (CAPCOA 2010). The GHG Reduction Plan may include any one or more of the following for implementation.</p> <table><tr><th>Mitigation Category</th><th>Potential Mitigation Measure</th></tr><tr><td rowspan="4">Neighborhood/Site Enhancements</td><td>Provide Pedestrian Network Improvements</td></tr><tr><td>Provide Traffic Calming Measures</td></tr><tr><td>Implement a Neighborhood Electric Vehicle Network</td></tr><tr><td>Incorporate Bike Lane Street Design (on-site)</td></tr><tr><td rowspan="4">Parking Policy/Pricing</td><td>Provide Bike Parking in Non-Residential Projects</td></tr><tr><td>Provide Electric Vehicle Parking</td></tr><tr><td>Limit Parking Supply</td></tr><tr><td>Unbundle Parking Costs from Property Cost</td></tr><tr><td rowspan="4">Commute Reduction Programs</td><td>Implement Market Price Public Parking (On-Street)</td></tr><tr><td>Implement Commute Trip Reduction Program – Voluntary</td></tr><tr><td>Implement Commute Trip Reduction Program – Required Implementation/Monitoring</td></tr><tr><td>Provide Ride-Sharing Programs</td></tr><tr><td></td><td></td><td>Implement Subsidized or Discounted Transit Program</td><td></td></tr><tr><td></td><td></td><td>Provide End of Trip Facilities</td><td></td></tr></table>	Mitigation Category	Potential Mitigation Measure	Neighborhood/Site Enhancements	Provide Pedestrian Network Improvements	Provide Traffic Calming Measures	Implement a Neighborhood Electric Vehicle Network	Incorporate Bike Lane Street Design (on-site)	Parking Policy/Pricing	Provide Bike Parking in Non-Residential Projects	Provide Electric Vehicle Parking	Limit Parking Supply	Unbundle Parking Costs from Property Cost	Commute Reduction Programs	Implement Market Price Public Parking (On-Street)	Implement Commute Trip Reduction Program – Voluntary	Implement Commute Trip Reduction Program – Required Implementation/Monitoring	Provide Ride-Sharing Programs			Implement Subsidized or Discounted Transit Program				Provide End of Trip Facilities		
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		<p>Encourage Telecommuting and Alternative Work Schedules</p> <p>Implement Commute Trip Reduction Marketing</p> <p>Implement Preferential Parking Permit Program</p> <p>Implement Car-Sharing Program</p> <p>Provide Employee-Sponsored Vanpool-Shuttle</p> <p>Implement Bike-sharing Programs</p> <p>Price Workplace Parking</p> <p>Implement Employee Parking "Cash-Out"</p> <p>Provide a Bus Rapid Transit System</p> <p>Implement Transit Access Improvements</p> <p>Expand Transit Network</p> <p>Increase Transit Service Frequency/Speed</p> <p>Provide Local Shuttles</p>
	Transit System Improvements	<p>Reference: CAPCOA. Quantifying Greenhouse Gas Mitigation Measures. August 2010. (http://capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf)</p> <ul style="list-style-type: none"> • Install a Solar Photovoltaic System. Installation of solar photovoltaic system(s) that would remain in place as a component in achieving the performance standard. • Purchase GHG Emission Offsets. The project sponsor could purchase GHG Emission offsets. The offsets could include any of the following sources: (1) The California Air Resources Board (ARB) quarterly allowance auctions held as part of its Cap-and-Trade Program or (2) The Greenhouse Gas Reduction Exchange (GHG Rx); or (3) Climate Action Reserve Climate Reserve Tonnes (CAR CRTs). <p>The GHG Reduction Plan may be modified or amended to address changes in emissions, substitution of methods by which the project achieves the performance standard, and advances in the science, circumstance or technology related to greenhouse gas reduction,</p>

Environmental Impact	Significance before Mitigation1	Mitigation Measures	Significance after Mitigation
		<p>avoidance or offsets. These factors may eventually result in a GHG Reduction Plan that demonstrates the project will achieve the performance standard without further mitigation. Such modifications or amendments shall be effective only if prepared by a qualified expert, and approved by the County.</p> <p>The project applicant shall form one or more property owner's association(s) that encompasses all privately-held non-residential condominium properties within the project site. These associations shall be responsible for implementing the approved GHG Reduction Plan. Beginning no more than two years after the final County building inspection for the first building containing non-residential uses, these associations shall prepare and submit an Annual GHG Emissions Reduction Report (Annual Report) to the County for review and approval. The CC&Rs referenced below shall remain in force and the Annual Report shall be required for each operational year of the project until two consecutive Annual Reports demonstrate that no mitigation is required to reduce project-related GHG impacts to a less-than-significant level. The Annual Report shall summarize the project's implementation of GHG reduction measures over the preceding year, intended upcoming changes, compliance with the conditions/requirements of the GHG Reduction Plan, and include a brief summary of the previous year's Annual Report results (starting with the second report). The Annual Report shall include a comparison of annual project emissions to the baseline emissions reported in the GHG Reduction Plan. The requirements of the GHG Reduction Plan shall be considered fully attained when project emissions are below applicable numeric BAAQMD CEQA thresholds.</p> <p>To ensure implementation of the GHG Reduction Plan by the non-residential property owners' association(s), the applicant shall comply with all of the following:</p> <ul style="list-style-type: none"> • The applicant shall ensure that Covenants, Conditions, and Restrictions (CC&Rs) are adopted and recorded against all privately-owned, non-residential condominium properties within the project site, and that the CC&Rs bind each subsequent non-residential condominium property owner. • Such CC&Rs shall obligate all owner(s) of non-residential condominium properties, jointly and severally, to implement and fund the costs of implementing this mitigation measure, including any enforcement costs, and shall provide that this funding obligation is secured by that owner's non-residential condominium property. • Such CC&Rs shall obligate the non-residential condominium property owners' association to implement and enforce this mitigation measure. 	

Environmental Impact	Significance before Mitigation1	Mitigation Measures	Significance after Mitigation
		<ul style="list-style-type: none"> Such CC&Rs shall identify Contra Costa County as a third party beneficiary of any provisions relating to implementation or enforcement of this mitigation measure, shall enable the County to enforce any such provisions, and shall preclude amendment of any such provisions without the express written consent of the Director of the Department of Conservation and Development or the County Zoning Administrator. Such CC&Rs shall obligate the non-residential property owner(s) to forfeit their right to operate under the Planned Unit District zoning for any period during which a violation of this mitigation measure exists, as determined by Contra Costa County. <p>This measure will be enforced by the County against the owner(s) of the non-residential condominium properties in the project. Enforcing this measure against only non-residential condominium properties is appropriate in light of the BAAQMD significance threshold, which assigns emissions on a per capita basis, and includes the per capita emissions generated by employees, customers and visitors. The per capita emissions assigned to residential uses include only the emissions generated by residents. Accordingly, if the non-residential condominium properties cease to operate, emissions would not exceed the per capita emission threshold.</p>	
Greenhouse Gas Emissions and Energy (cont.)	Greenhouse Gas Emissions and Energy (cont.)		
Impact 4.7-3: The project could conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases.	Significant	Mitigation Measure GHG-2: Implement a project-specific GHG Reduction Plan. [See MM GHG-2 above]	Less than Significant
Impact 4.7-4: The project would not result in wasteful, inefficient and unnecessary use	Less than Significant	None required.	NA

Environmental Impact	Significance before Mitigation1	Mitigation Measures	Significance after Mitigation
of energy and the project would not require substantial additional capacity.			
Hazards and Hazardous Materials			
Impact 4.8-1: The project would include the routine transport, use and disposal of hazardous materials during construction and operation, and could create a significant hazard to the public or environment.	Significant	<p>Mitigation Measure HAZ-1a: Prior to issuance of any demolition permit, the project applicant shall submit to the County a hazardous building material assessment prepared by qualified licensed contractors for each structure intended for demolition indicating whether LBP or lead-based coatings, ACMs, and/or PCB-containing equipment are present.</p> <p>Mitigation Measure HAZ-1b: If the assessment required by Mitigation Measure HAZ-1a indicates the presence of LBP, ACMs, and/or PCBs, the project applicant shall create and implement a health and safety plan in accordance with local, state, and federal requirements to protect demolition and construction workers and the public from risks associated with such hazardous materials during demolition or renovation of affected structures.</p> <p>Mitigation Measure HAZ-1c: If the assessment required by Mitigation Measure HAZ-1a finds presence of LBP, the project applicant shall develop and implement a LBP removal plan for the County's review and approval. The plan shall specify, but not be limited to, the following elements for implementation:</p> <ul style="list-style-type: none"> • Develop a removal specification approved by a Certified Lead project Designer. • Ensure that all removal workers are properly trained. • Contain all work areas to prohibit off-site migration of paint chip debris. • Remove all peeling and stratified LBP on building and non-building surfaces to the degree necessary to safely and properly complete demolition activities according to recommendations of the survey. The demolition contractor shall be responsible for the proper containment and disposal 	Less than Significant

Environmental Impact	Significance before Mitigation1	Mitigation Measures	Significance after Mitigation
		<p>of intact LBP on all equipment to be cut and/or removed during the demolition.</p> <ul style="list-style-type: none"> • Provide on-site personnel and area air monitoring during all removal activities to ensure that workers and the environment are adequately protected by the control measures used. • Clean up and/or vacuum paint chips with a high efficiency particulate air (HEPA) filter. • Collect, segregate, and profile waste for disposal determination. • Properly dispose of all waste. <p>Mitigation Measure HAZ-1d: If the assessment required by Mitigation Measure HAZ-1a finds asbestos, the project applicant shall prepare an asbestos abatement plan for the County's review and approval. The plan shall ensure that asbestos abatement is conducted by a licensed contractor prior to building demolition. Abatement of known or suspected ACMs shall occur prior to demolition or construction activities that would disturb those materials. Pursuant to an asbestos abatement plan a state-certified asbestos consultant shall be retained and approved by the County, and all ACMs shall be removed and appropriately disposed of by a state certified asbestos contractor.</p> <p>Mitigation Measure HAZ-1e: If the assessment required by Mitigation Measure HAZ-1a finds PCBs, the project applicant shall ensure that PCB abatement is conducted prior to building demolition or renovation. PCBs shall be removed by a qualified contractor and transported in accordance with Caltrans requirements.</p>	
Impact 4.8-2: The project would not create a significant hazard to the public or environment through an upset or accident involving the release of hazardous materials.	Less than Significant	None required.	NA
Impact 4.8-3: The project would be located	Significant	Mitigation Measure HAZ-3: The contractor shall cease any earthwork activities upon discovery of any suspect soils (e.g., petroleum odor and/or discoloration) during construction. The	Less than Significant

Environmental Impact	Significance before Mitigation1	Mitigation Measures	Significance after Mitigation
<p>on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and could result in a safety hazard to the public or environment through exposure to previous contamination of soil or groundwater.</p>		<p>contractor shall notify the Contra Costa County Health Services Department and retain a qualified environmental firm to collect soil samples to confirm the level of contamination that may be present. If contamination is found to be present, any further proposed groundbreaking activities within areas of identified or suspected contamination shall be conducted according to a site specific health and safety plan, prepared by a licensed professional. The contractor shall follow all procedural direction given by Contra Costa County Health Services Department to ensure that suspect soils are isolated, protected from runoff, and disposed of in accordance with transportation laws and the requirements of the licensed receiving facility.</p>	
<p>Impact 4.8-4: The project would not expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.</p>	Less than Significant	None required.	NA
<p>Hydrology and Water Quality</p>			
<p>Impact 4.9-1: The project could result in a minimal increase of stormwater pollutants due to</p>	Less than Significant	None required.	NA

Environmental Impact	Significance before Mitigation1	Mitigation Measures	Significance after Mitigation
<p>construction activities and/or the introduction of new impervious surfaces with development but would not violate any water quality standards or waste discharge requirements.</p>			
<p>Impact 4.9-2: The project would increase impervious surfaces which would reduce the amount of stormwater runoff available for recharge but not to the extent that it would substantially deplete groundwater supplies or interfere substantially with groundwater recharge.</p>	<p>Less than Significant</p>	<p>None required.</p>	<p>NA</p>
<p>Impact 4.9-3: The project would not alter the drainage pattern of the site such that it would result in substantial erosion or sitation on or off the site.</p>	<p>Significant</p>	<p>Mitigation Measure HYD-3: Pre-project stormflow levels. No construction shall be permitted anywhere on the project site unless the applicant demonstrates, to the satisfaction of the Director of the Public Works Department, either of the following: (a) Upon completion of such construction, there will be sufficient detention capacity on the project site to detain the incremental increase in stormflow volume that occurs during the 24-hour, 10-year design storm, which incremental increase is due to the increase in impervious surface above pre-project levels. This standard could be met with a detention vault with capacity for approximately 12,300 cubic feet of stormwater on Site B, through smaller detention vaults,</p>	<p>Less than Significant</p>

Environmental Impact	Significance before Mitigation1	Mitigation Measures	Significance after Mitigation
		tanks or other facilities on each of the four privately-owned sites (Sites A, B, B1 and C), or through other means; or (b) Upon completion of such construction, the total square footage of impervious surface area throughout the project site will remain at or below pre-project levels.	
Impact 4.9-4: The project would not alter the drainage pattern of the site such that it would result in flooding on- or off- the site.	Less than Significant	None required.	NA
Impact 4.9-5: The project would not create or contribute runoff water which would exceed the capacity of existing drainage systems or provide additional sources of polluted runoff.	Significant	Mitigation Measure HYD-3: Pre-project stormflow levels. [See above]	Less than Significant
Land Use and Planning			
Impact 4.10-1: The project would not divide an established community.	Less than Significant	None required.	NA
Impact 4.10-2: The project would be in general conformance with applicable regional or local plans and policies adopted	Less than Significant	None required.	NA

Environmental Impact	Significance before Mitigation1	Mitigation Measures	Significance after Mitigation
for the purpose of avoiding or mitigating environmental effects.			
Mineral Resources			
There would be no impacts to mineral resources.	No Impact	None required.	NA
Noise			
Impact 4.12-1: The project would result in the exposure of persons to, or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.	Significant	Mitigation Measure NOI-1a: Performance Standard for Mechanical Equipment. The project applicant shall have mechanical equipment designed such that noise levels do not result in an increase by 5 dB or more at adjacent properties. This performance standard may be achieved by selecting quieter equipment models, strategic siting, equipment setback, noise barriers or enclosures, acoustical louvers, and equipment noise attenuators. A qualified acoustical professional shall be retained by the project applicant and shall advise the design team regarding effective noise reduction measures. Prior to issuance of building permits for each building, the qualified acoustical professional shall verify that each building design incorporates the recommended noise reduction measures necessary to prevent an increase of 5 dB or more at adjacent properties. The project applicant shall submit such verification to Community Development Division staff for review and approval. Prior to the final building inspection for each building, the qualified acoustical professional shall verify in the field that the required noise reductions have been achieved. The project applicant shall submit such verification measurement data to Community Development Division staff for review and approval.	Less than Significant
		Mitigation Measure NOI-1b: Exterior Noise Exposure Reduction through Design and Building Materials. The project applicant shall reduce on-site noise levels at Site A common use areas to the extent required to achieve compliance with General Plan Policy 11-2, as determined by the County according to the County's customary interpretation and application of that policy. A qualified acoustical professional shall be retained by the project applicant to recommend effective noise reduction measures, and verify that such measures have been incorporated into Site A building design. The project applicant shall submit such verification to Community Development	

Environmental Impact	Significance before Mitigation1	Mitigation Measures	Significance after Mitigation
		<p>Division staff for review and approval. Prior to the final building inspection for Site A, the qualified acoustical professional shall verify in the field that the required noise reduction measures have been installed. The project applicant shall submit such verification measurement data to Community Development Division staff for review and approval.</p>	
<p>Impact 4.12-2: The project would result in the exposure of persons to or generation of excessive ground born vibration or ground borne noise levels.</p>	Significant	<p>Mitigation Measure NOI-2a: Construction Hours Limitations. The project applicant shall incorporate the following practice into the construction contract agreement documents to be implemented by the construction contractor, to the satisfaction of the Community Development Division:</p> <ul style="list-style-type: none"> 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. Exceptions to the hours limitations may be granted when reasonably necessary to allow construction to proceed (for example, to complete a single concrete pour). <p>Mitigation Measure NOI-2b: The project applicant shall adequately isolate vibration-generating mechanical equipment per ASHRAE Guidelines to reduce ground-borne vibration levels at neighboring properties to or below the Caltrans vibration criteria of 0.1 inches per ppv.</p>	Less than Significant
<p>Impact 4.12-3: Noise generated from project related activities could result in a significant permanent increase in ambient noise levels at existing adjacent properties.</p>	Significant	<p>Mitigation Measure NOI-3: The project applicant shall install signage in the pool area for Site B with language substantially similar to the following:</p> <ul style="list-style-type: none"> Pool hours are from 7:00 a.m. to 11:00 p.m. on weekends and holidays, and 7:00 a.m. to 10:00 p.m. on other days. This pool area may be used only during pool hours. The Contra Costa County Code (Chapter 82-44) precludes events of 75 people or more without a Temporary Event Permit or a Land Use Permit. No amplified live music is allowed in this pool area without a Temporary Event Permit or a Land Use Permit. 	Less than Significant
<p>Impact 4.12-4: project construction could result in substantial temporary or periodic increase in ambient noise</p>	Significant	<p>Mitigation Measure NOI-4: Noise Controls During Construction. The project applicant shall incorporate the following practices into the construction contract agreement documents to be implemented by the construction contractor, to the satisfaction of the Community Development Division:</p> <ul style="list-style-type: none"> During construction, mufflers shall be provided for all heavy construction equipment and all stationary noise sources in accordance with the manufacturers' recommendations. 	Less than Significant

Environmental Impact	Significance before Mitigation1	Mitigation Measures	Significance after Mitigation
levels in the project vicinity.		<ul style="list-style-type: none"> • Limit unnecessary idling of internal combustion engines (generally no more than 2 minutes). • Stationary noise sources and staging areas shall be located as far as is feasible from existing noise sensitive receivers. Locating stationary noise sources near existing roadways away from adjacent properties is preferred. If located otherwise, stationary noise sources are to be enclosed or shielded from neighboring noise-sensitive properties with noise barriers to the extent feasible. • Air compressors and pneumatic equipment shall be equipped with mufflers, and impact tools should be equipped with shrouds or shields. • A construction liaison shall be designated to ensure coordination between construction staff and neighbors to minimize disruptions due to construction noise. Neighboring property owners within 300 feet of construction activity shall be notified in writing of the contact information for the construction liaison. Additionally, a sign shall be posted at the project site with the construction liaison's name and contact information. • Neighboring property owners within 300 feet of construction activity shall be notified in writing of the construction schedule and at least 30 days prior to loud noise-generating activities. Notification is to include the nature and estimated duration of the activity. • Prior to construction, a qualified acoustical professional shall review specific equipment and site locations that would be expected to generate noise levels above DNL 90 dB (one-hour Leq) at adjacent residential properties and DNL 100 dB (one-hour Leq) at adjacent commercial properties. The study shall determine additional mitigation measures, as feasible, to reduce noise levels by at least five decibels and below the aforementioned limits. Additional measures might include local barriers around specific construction equipment or property line barriers. The location, height, and extent of the barriers should be provided by the acoustical professional. • A qualified acoustical professional shall be retained as needed to address neighbor complaints as they occur. If complaints occur, noise measurements could be conducted to determine if construction noise levels at adjacent property lines are within the performance standards. Short-term or long-term construction noise monitoring could also be utilized to 	

Environmental Impact	Significance before Mitigation1	Mitigation Measures	Significance after Mitigation
		diagnose complaints and determine if additional mitigation is required for certain phases of construction as needed.	
Population and Housing			
Impact 4.13-1: The project would directly induce temporary and permanent population growth.	Less than Significant	None required.	NA
Impact 4.13-2: The project would displace existing housing units and residents, but would not necessitate the construction of replacement housing elsewhere.	Less than Significant	None required.	NA
Public Services			
Impact 4.14-1: The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered	Less than Significant	None required.	NA

Environmental Impact	Significance before Mitigation1	Mitigation Measures	Significance after Mitigation
governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services.			
Recreation Impact 4.15-1: The project would not increase use of existing neighborhood and regional parks and other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated.	Less than Significant	None required.	NA

Environmental Impact	Significance before Mitigation1	Mitigation Measures	Significance after Mitigation
Impact 4.15-2: The project would include recreational facilities the construction of which would not have a significant adverse physical effect on the environment.	Less than Significant	None required.	NA
Transportation and Traffic			
Impact 4.16-1: The project would increase traffic volumes at area intersections and on area roadways, but would not conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness on the circulation system nor conflict with an applicable congestions management program.	Less than Significant	None required.	NA
Impact 4.16-2: The project would not substantially	Significant	Mitigation Measure TRA-2b: Prior to issuance of a grading permit, the applicant shall undertake an inspection of Boulevard Way, from Olympic Boulevard to Mt. Diablo Boulevard. To the extent the applicant claims any damage is pre-existing, such damage shall be	Less than Significant

Environmental Impact	Significance before Mitigation1	Mitigation Measures	Significance after Mitigation
increase hazards due to a design feature or incompatible uses.		thoroughly documented by photographs, mapping and reference markings or measurement points to assist in determining whether any damage or movement has occurred as a result of construction. Prior to the final building inspection for each building, the project applicant shall conduct a similar survey to identify any damage caused by the project. Applicant shall be responsible for repairing any damage caused by the project to the satisfaction of the Public Works Department. Mitigation Measure TRA-5: Design Changes to Improve Bicycle Access. [See below]	
Impact 4.16-3: The project would not result in inadequate emergency access.	Less than Significant	None required.	NA
Impact 4.16-4: The project would alter existing transit facilities (bus stops) but would not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities or otherwise decrease the performance or safety of such facilities.	Less than Significant	None required.	NA
Impact 4.16-5: The project could conflict with adopted policies and standards regarding site access by	Significant	Mitigation Measure TRA-5: Design Changes to Improve Bicycle Access. The project applicant shall work with the County to designate the segment of Boulevard Way with diagonal on street parking spaces as a Class III bike route with shared bicycle lane pavement markings. Shared lane markings shall be installed near the street centerline along the Boulevard Way project frontage to guide bicyclists away from parked vehicles. The travel lane adjacent to parallel parking	Less than Significant

Environmental Impact	Significance before Mitigation1	Mitigation Measures	Significance after Mitigation
automobiles, pedestrians and bicyclists.		spaces along Boulevard Way shall be at least approximately 16.7 feet wide.	
Utilities and Service Systems			
Impact 4.17-1: The project would not generate an increase in demand for water or wastewater treatment such that it would require a new water or wastewater facility or expansion of existing facility, or that the water or wastewater treatment provider would not have adequate capacity to serve the project's projected demand.	Less than Significant	None required.	NA
Impact 4.17-2: The project would not require or result in the construction of new stormwater drainage facilities or expansion of existing facilities.	Significant	Mitigation Measure HYD-3: Pre-project stormflow levels. [See above]	Less than Significant

Environmental Impact	Significance before Mitigation1	Mitigation Measures	Significance after Mitigation
Impact 4.17-3: The project would not generate an increase in demand for water supply over existing entitlements or resources.	Less than Significant	None required.	NA
Impact 4.17-4: The project would be served by a landfill with sufficient permitted capacity to accommodate the project's waste disposal needs and would comply with federal, state and local statutes and regulations related to solid waste.	Less than Significant	None required.	NA

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