

CONDITIONS OF APPROVAL

1. Substantial Conformance: The Revised Project shall be completed in substantial conformance with the Project Plans in Exhibit A, submitted to and received by the Planning Department on March 1, 2022, except as may be modified by the conditions of approval for the Revised Project.
2. Conditions of Approval on Plans: All conditions of approval shall be printed on the informational page of the final construction plans submitted for building permits, along with annotations by the Applicant of where the conditions have been met on the drawings. All conditions of approval shall be on all grading and construction plans, which shall always be kept on the Project site.
3. Responsibility to Inform: The Applicant shall be responsible for ensuring that all subcontractors, consultants, engineers, or other business entities providing services related to the Revised Project of their responsibilities to comply with the Revised Project contractor and construction crew is aware of and adheres to all conditions of approval.
4. Changes to Design: Prior written approval from the Community Development Director or their designee shall be received by the Applicant before any minor changes are made to the site design, grade, building design, building colors or materials, or related design elements. Major changes shall be subject to review by the DRB or Planning Commission at the Community Development Director's discretion.
5. Maintenance: The Applicant, shall, at all times, keep the property in good order. This includes repair and maintenance of all structures, fences, signs, walks, driveways, painting, etc. as may be necessary to preserve a high-quality environment. All landscaped areas shall be maintained free of litter, debris, and weeds. All plantings shall be permanently maintained in a healthy growing condition, and whenever necessary, replaced with equivalent planting materials to ensure continued conformance with approved plans. Every sign shall be kept up and maintained in a secure and safe condition. Signs shall be kept free of rust, corrosion, peeling paint, cracks, fading, and other surface deterioration.
6. Composting and Recycling: Consistent with the City's Climate Action Plan, the Applicant shall have a "three-bin" recycling program (garbage, recycling and compost).
7. Refuse, Recycling and Greenwaste Storage Areas: All solid waste and recycling areas shall comply with locational and design criteria in Section 15.04.601.090 of the Richmond Municipal Code.
8. Transportation Demand Management: The Applicant shall adhere to the transportation demand management program provided in compliance with Section 15.04.612.

9. Lighting Standards: Prior to issuance of any building permit, the Applicant shall demonstrate that all exterior lighting has been designed and located so that all direct light is confined to the property and is satisfactory to the Community Development Director or their designee. Fixtures shall be appropriate to the style and scale of the architecture. No lights shall be greater than 3,000k LED.
10. Inclusionary Housing and Density Bonus Law Requirements: The Revised Project shall comply with Article 15.04.603 of the Zoning Ordinance and requirements of the state Density Bonus Law (Government Code Section 65915). Ten percent (10%) of the units shall be sold at affordable sales price to Moderate-Income households as defined in Zoning Ordinance Section 15.04.104.020 and Health and Safety Code Section(s) 50052.5 and 50093. Prior to issuance of a building permit or approval of a final or tentative parcel map, whichever is earliest, the Applicant shall enter into and record a written agreement with the City as specified in Section 15.04.603.110.
11. Storm Water Management During Construction: During construction activities, the Applicant shall reduce or prevent to the maximum extent practicable the direct or indirect discharge of any dust or pollutant into the storm drain system using best management practices contained in the California Storm Water Best Management Practices Handbook for Construction Activities. Construction activities include but are not limited to: watering operations; roadwork and paving operations; concrete and painting; structure construction; construction material storage and handling; construction waste/debris storage and disposal; and, construction equipment/vehicle cleaning, maintenance and fueling operations. The project sponsor is also responsible for training all contractors and subcontractors on the best management practices identified in the California Storm Water Best Management Practices Handbook for Construction Activities which shall be made available by the project sponsor at the pre-construct meeting of the project.
12. Encroachment Permit Required: The Applicant shall obtain an encroachment permit from the City's Engineering Department for all work within the public right-of-way. All curb, gutter, and sidewalk replacement shall conform to City standards. Should any infrastructure be damaged or destroyed as a result of the Revised Project's construction, Applicant shall be responsible for returning the infrastructure to an acceptable condition as determined by the City's Public Works Director.
13. All new electrical lines and connections to the site shall be undergrounded to the satisfaction of the City Engineer and Community Development Director.
14. Any relocation of existing improvements or public utilities shall be accomplished under the direction of the City, or impacted utility company's requirement, at no expense to the City or utility company.
15. The Applicant shall repair all damaged sidewalk, pavement, existing curb and gutter along the project frontage to the satisfaction of the Community Development Director

and City Engineer prior to occupancy. The Applicant shall replace any damaged landscaping, improvements, or street improvements caused by the installation of utility services and construction of the project to the satisfaction of the City Engineer and Community Development Director.

16. Failure to abide and faithfully comply with any and all conditions attached to this approving action shall constitute grounds for the revocation of said action by the DRB or other design review authority.
17. Turning Radius. Provide turning radius on plans to ensure compliance with Fire Department standards.
18. Design Review Permit Expiration: Design Review approval shall expire when the Tentative Map expires, unless made permanent by issuance of building permits and the commencement of construction. If the use(s) or structure(s) approved by this action are not established within such period of time, this approval shall be terminated and shall, thereafter, be null and void, unless the Applicant applies for an extension of time prior to expiration of the Design Review approval.
19. Indemnification: The Applicant agrees, on behalf of themselves, their successor(s)-in-interest and assigns, to defend, indemnify, and hold harmless the City, its Council, DRB, advisory boards, officers, employees, consultants and agents (hereinafter "City") from any claim, action or proceeding (hereinafter "Proceeding") brought against the City to attack, set aside, void or annul the City's actions regarding any development or land use permit, application, license, denial, approval or authorization, including, but not limited to, variances, use permits, developments plans, specific plans, general plan amendments, zoning amendments, approvals and certifications pursuant to CEQA, and/or any mitigation monitoring program, or brought against the City due to acts or omissions in any way connected to the Applicant's Original or Revised Project(s), but excluding any approvals governed by Government Code Section 66474.9. This indemnification shall include, but not be limited to, damages, fees and/or costs awarded against the City, if any, and costs of suit, attorney's fees and other costs, liabilities and expenses incurred in connection with such proceeding whether incurred by Applicant or City. If Applicant is required to defend the City as set forth above, the City shall retain the right to select the counsel who shall defend the City.
20. The project shall meet the requirements of Richmond Municipal Code (RMC) Chapter 12.62 by either including on-site publicly accessible art valued at one percent (1%) of the Building Development Cost or by paying an in-lieu contribution of one percent (1%) of the Building Development Cost to the City's Public Art Project account as set forth in Section 12.62.050. Building Development Cost shall be as defined in the RMC Chapter 12.62.
21. The Applicant shall fund and construct the staging area shown in Miller/Knox Trailhead Improvement Plan sheet L4 of the Project Plans prior to issuance of the

last 5 occupancy permits, working in good faith with the East Bay Regional Park District and the City of Richmond.

22. Improvements plans and a subdivision improvement agreement shall be approved by the City prior to the construction of any subdivision improvements.
23. Applicant shall provide proof of an easement agreement or other legal agreement with the EBRPD for the proposed EVA, or the EVA shall be redesigned to be located completely on-site. Applicant shall provide a copy of the draft easement or legal agreement for review by the City Attorney prior to execution.
24. All light fixtures shall be shielded, indirect, dark sky friendly and have output color temperature of no greater than 3,000 Kelvins.
25. Applicant shall repave the existing Bay Trail between the Project site and Canal Boulevard and repair the collapsed Bay Trail section immediately south of the Project site. Bay Trail improvements shall merge seamlessly with the existing Bay Trail lying south and north of the Project site. In addition, Applicant shall construct, or pay the full cost of constructing, a new, paved twelve (12)-foot wide Bay Trail section linking the Condition 21 staging area with the Applicant's improved Bay Trail along Seacliff Drive and the Bay Trail along Canal Blvd in the vicinity of the access road for 1001 Canal Blvd. A condition shall be included in the Subdivision Improvement Agreement requiring the Applicant to complete these improvements prior to issuance of the first certificate of occupancy for the residential project.
26. Applicant shall replace, or salvage and reuse, the Bay Trail orientation sign panel and frame located at the corner of Seacliff Drive and Canal Boulevard. A 2' x 3' interpretative panel shall be created and installed in a National Park Service low profile frame along the Bay Trail on Seacliff Drive, prior to issuance of first certificate of occupancy. This new panel location and design shall be done in collaboration with TRAC and be consistent with the design of Bay Trail interpretative panels installed along the Bay Trail in Richmond.
27. Ground water and/or stormwater runoff shall not be allowed to flow from the site across the Bay Trail's shoulder or pavement.
28. The Bay Trail improvements that Applicant installs adjacent to the Project site frontage shall be maintained by the Homeowners Association or by another City-approved funding mechanism, such as contributing funds to a Lighting and Landscaping District, if formed.
29. The following additional traffic safety measures shall be added near the Project site's entry driveway:
 - a. A stop sign and a stop pavement marking for vehicles exiting the driveway, and
 - b. Trail crossing signs W11-15 and W11-15P alerting motor vehicles to trail traffic at three (3) locations: (1) the drive exit, (2) before the right turn from southbound Seacliff Drive and (3) at the left turn from northbound Seacliff Drive with W16-7P directional arrow signs added under the trail signs on Seacliff Drive. These signs

shall be compliant with the latest edition of the California Manual of Uniform Traffic Control Devices at the time of permit.

30. Applicant shall pay for and/or install the following improvements to Seacliff Drive:
- a. Speed feedback signs in both directions;
 - b. Striping on both sides of Seacliff Drive to provide three (3)-foot shoulders and 11-foot travel lanes in both directions; and
 - c. The following signage:
 - i. 25 miles per hour (mph) speed limit (Sign R2-1) on both directions of Seacliff Drive;
 - ii. Curve arrows (W1-8) on both directions of Seacliff Drive; and
 - iii. Stop Ahead (W3-1) on northbound Seacliff Drive on the approach to Canal Boulevard; and Intersection Ahead (W2-2) on both directions of Seacliff Drive approaching the Project site driveway.

These improvements shall be installed prior to use of the new entry driveway for construction purposes.

31. The following additional improvements to Seacliff Drive shall be paid for and/or installed by Applicant:
- a. Centerline striping on Seacliff Drive: the City standard for providing double-yellow center striping is Caltrans Detail 23 (CA MUTCD 2010), which consists of two rows of reflective and non-reflective yellow markers in the center of the roadway; and,
 - b. Guardrails (also called traffic barriers) shall be installed at the east side of Seacliff Drive where the roadway curves and has a descending grade in the northbound direction.
32. Street Improvements. Applicant shall have street improvement plans prepared for all work in the public right of way by a licensed civil engineer and obtain Engineering Division approval prior to the issuance of the encroachment permit.
33. Applicant is required to retrofit all existing and new drain inlets and catch basins on-site and adjacent offsite with full-trash capture device per RMC 12.22.090(a). Include detail of the chosen device on plan sheet and indicate the locations where they will be installed (see attached list of approved full trash capture devices). As part of the SWCP the Revised Project shall be listed in the text for the trash inserts within the "Source Control Measures" and Section VI "Stormwater Facility Maintenance" Section of the SWCP.
34. Submit Operations and Maintenance Plan and an O&M Agreement ("Agreement") per the City's templates for stormwater quality facilities. After approval of the O&M Plan and Agreement by the Water Resource Recovery (WRR) Department the following shall occur:
- a. Property owner must sign and notarize the Agreement first;
 - b. Submission of the Agreement to the City along with a legal description of the property;
 - c. City officials sign and notarize the Agreement;

- d. City records the executed Agreement with the County;
 - e. City will provide Property Owner a copy of the recorded Agreement.
35. Applicant shall video all storm and sewer pipes on the property –up to the connection points to the City systems. The videos shall be provided to the WRR Department for review prior to finalizing project utility plan. In addition, video of pipes constructed shall be completed prior to occupancy of the units.
 36. Applicant will install a two (2)-way cleanout, overflow protection device, and a backflow device for each unit/connection; and will coordinate number of connections with MEP consultant.
 37. Applicant shall comply with minimum storm drain standards set forth in City's Standard Plans and in the RMC. Documentation provided in support of proposed Storm Drain improvements shall include, but is not limited, to:
 - a. Applicant shall provide as-built drawing to the City of Richmond ECIP Department for all improvements constructed onsite and off-site as part of the project. The as-built drawings must be stamped by the engineer of record for the project.
 - b. Applicant shall comply with the City's Storm drain design standards in RMC Section 15.08.570. Storm Drain Design Criteria shall follow the City of Richmond's RMC "§12.44.060(f) - Design standards and grading regulations (Regulations for Drainage).
 38. The project shall conform to the latest C3 standards and Best Management Practices.
 39. Revised Project shall implement the Mitigation Monitoring and Reporting Program.
 40. On Sheet A8.0, crosswalks shall be added at the intersections of B Street and C Street, and B Street and D Street, with a sidewalk added on the north side of B Street, between C and D streets. This is consistent with Sheet C3.1 of the Vesting Tentative Map.
 41. Revised Project shall comply with RMC Chapter 9.64, which prohibits use of natural gas infrastructure in newly constructed buildings.
 42. Construction Staging area: A construction staging area shall be developed along the existing access road into the former Quarry that is programed to become a trail extension developed as a Class I Bikeway. The Applicant shall secure any required encroachment permits from the City of Richmond and East Bay Regional Park District. In the development of the staging area, the civil engineer and the construction team shall survey the area needed and this area shall be shown on a site plan map. This area shall then have a separate landscape plan that will amend sheet L4 in the Project Plans, dated March 2022. This separate landscape plan shall be adapted to the staging area so following major construction, a plan to remove invasive species and trim overgrowth to the satisfaction of the Director of Community Development. This landscaping shall be completed prior to the issuance of the

certificate of occupancy of the 70th residence in the project. This landscape plan shall be submitted to the Planning Division for review and approval prior to the application submittal of the 50th building permit. Temporary water and irrigation shall be provided to establish the new plantings.

43. To the extent possible, the project shall avoid construction access off of Seacliff Drive and instead, construction traffic shall be directed to enter and exit onto Canal Blvd from the existing access road that is to become a trail extension as described in Condition 43 above.
44. The staging area and trail as shown on Sheet L4 shall be completed prior to the issuance of the certificate of occupancy for the final home in the project. All agreements to construct these improvements shall be completed with the City and EBRPD prior to the issuance of the 30th building permit.
45. Coast live oak specified on Sheet L4 of the Project Plans shall be 24" box in lieu of 15 gallon. All other shrubs shall have a minimum of 5 gallons in lieu of 1 gallon.
46. The project shall install a 1-inch Polyvinyl chloride (PVC) water supply line, valve, and box to the area shown on sheet L4 for future use.
47. The project shall provide a Polyvinyl chloride (PVC) pipe (minimum 2" pipe) to intercept existing storm water and direct it to the area adjacent to unit 43, and west of Unit 17. This area could be used for potential future water storage tanks that may be provided by the homeowner's association. The future harvesting and re-use of storm water must be completed in accordance with applicable laws.
48. Wooden fences shall be in substantial compliance with the photograph on sheet L5 of the Project Plans and shall be either clear western red cedar, redwood or lpe. The fences shall comply with the current building code. All fasteners shall be stainless steel or similar to limit corrosion. Fence post bases and fasteners shall be hot-dipped galvanized. All board form gaps shall be ¼".
49. The Vesting Tentative Map dated March 1, 2022 shall be modified to conform with conditions of approval 43, 44, and 45 above.
50. All Garage doors shall include the optional enhanced glass above. Garage doors shall also be designed with varied panels doors to match architecture patterns.
51. The following elevations: Front 3C, Rear Enhanced 3C, Front 3A, Rear Enhanced 3A, Front 2C, Rear enhanced 2C, Front 2A, Front 1C, and Rear enhanced 1C shall be revised to show the 2 inches window reveals shown on sheet A5.1 # 5, and on note A5.0 # 4 shall be revised to be 2".
52. All windows shall be bronze color if the building exteriors are darker.

53. Downspouts shall be bonderized 26-gauge galvanized sheet metal painted to match adjacent material.
54. Gutters shall be 5-inch fascia-type 26-gauge painted to match the exterior board trim color.
55. Roof vents shall be corrosion resistant.
56. Windows above planters shall open so planters can be used.
57. Enhanced side elevations shall be added to lots 8 side, 58 side, and 65, and rear lots 59, 60, 61, and 62.
58. Solar panels to be installed on all residences.
59. French doors (min. 60-in x 80-in), at the entry side of the garage, shall be offered as an option for buyers.
60. The play area shall be enlarged, by eliminating five (5) of the proposed adjacent parking stalls and incorporating the area into the park.
61. Entry enhancement planting shall be changes to non-invasive species.
62. Staff shall make best efforts to research and discuss with Fire an emergency route as illustrated by Ms. Johnson. Summary shall be noticed and introduced to City council.
63. A marker of the future possible restroom location within the staging area shall be noted on the project plans.