

CONDITIONS OF APPROVAL

1. Substantial Conformance: The Revised Project shall be completed in substantial conformance with the Site Plan Alternative B in Exhibit B, Planned Area Plan Addendum in Exhibit C and Development Guideline Module in Exhibit D submitted to and received by the Planning Department on November 10, 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 Permittee shall be responsible for ensuring that all contractors, subcontractors, consultants, engineers, construction crews, or other business entities providing services related to the Revised Project are advised of their responsibilities to comply with all conditions of approval and MMRP.
4. Transportation Demand Management: Permittee shall adhere to the requirements of the transportation demand management program for which provision is made in RMC Section 15.04.612. The applicant shall prepare and submit to the City a Transit Access Plan which evaluates the feasibility of extending existing AC Transit fixed routes to the Project. In the event that public transit routes are extended to the project, the applicant shall install a public solar bus shelter to accommodate the transit service to the site, with the location and design of the shelter to be subject to review and approval by the City's Department of Transportation and Engineering Services prior to installation. If routes cannot be extended to the site, the applicant shall install a public solar bus shelter at the nearest stop to the site.

Public Works/Engineering

5. Permittee shall provide Improvement Plans for review and approval by the City Engineer of all off-site improvements to be constructed as part of the Project. The Improvement Plans for the Project shall include all relevant City Standard Details for the Sanitary Sewer, Storm Drain and work within the Public Right of Way. The applicant shall have street improvement plans prepared for all work in the public right-of-way by a licensed civil engineer and obtain Department of Public Works approval prior to the issuance of the encroachment permit or subdivision improvement plans.
6. Water Resource Recovery (WRR) Department shall inspect the work on the Sanitary Sewer, Storm Drain, C.3 and C.6 during construction and a permit from the WRR Department is required.
7. An Operation and Maintenance Agreement will be required with the WRR Department. This Agreement can be completed at any time prior to closing out the permit with the City during the construction phase of the project.

8. The applicant shall obtain an encroachment permit from the City of Richmond Public Services/Engineering Department for all work within the public right-of-way. All curb, gutter, and sidewalk replacements shall conform to City of Richmond standards. Should any infrastructure be damaged or destroyed as a result of the construction of the Revised Project, the Applicant shall be responsible for returning the infrastructure to an acceptable condition as determined by the City's Public Works Director.
9. All new electrical lines and connections to the site shall be undergrounded to the satisfaction of the City Engineer and Public Works Director. 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.
10. 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.
11. Permittee shall work in good faith with the East Bay Regional Park District to pave the area designated for overflow parking located at Ferry Point parking lot.
12. A financing plan shall be established for the Homeowners Association to cover the expenses related to the implementation and maintenance of adaptation measures relating to flooding on the site, as more specifically required in Project Design Feature HYD-3 of the MMRP.
13. Prior to the approval of any permits, including building and grading permits for the Project, Developer shall, at its sole cost and expense, prepare and submit to City for approval, a plan for funding the operation and maintenance of the Project's internal streets (the "Project O&M Plan").
14. Applicant shall indemnify, defend and hold harmless the City, its Council, Planning Commission, Design Review Board, 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, development plans, specific plans, general plan amendments, zoning amendments, approvals and certifications pursuant to the California Environmental Quality Act, and /or any mitigation monitoring program, or brought against the City due to acts or omissions in any way connected to the Applicant's Project, but excluding any approvals governed by California 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, attorneys 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.

Sewer/Wastewater

15. The applicant/developer shall seal the manhole and cut back the pipe in the channel when they tie on to the existing main on Brickyard Cove Road.

Stormwater

16. Project shall comply with Municipal Regional Permit C.3 requirements.

Water Supply

17. An approved on-site water supply capable of supplying the required fire flow for on-site fire protection shall be provided to all premises upon which buildings are constructed. When any portion of a building is in excess of 150 feet from a water supply on a public street, as measured by an approved route around the exterior of the building, on-site fire hydrants and mains capable of supplying the required fire flow shall be provided when required by the Fire Marshal.
18. Fire hydrants and mains capable of supplying 2,500 gallons per minute @ 20 p.s.i. residual pressure shall be provided in approved locations. On-site fire hydrants shall be located so vehicle travel is no greater than 300 ft. between hydrants.

Hydrants

19. Fire hydrants shall be installed by the developer and made serviceable prior to any combustible building materials being delivered or stored on the site and during the time of construction.
20. There shall be no more than 300 feet between public/private fire hydrants located along the public/private street.

Access Roads

21. Access roads with a minimum unobstructed width of 20 feet shall be provided to the front and rear of structures. A minimum vertical clearance of 13 feet 6 inches shall be provided. Access roads shall be engineered to support the imposed load of our ladder truck apparatus which weighs 35 tons and shall be designed per the City Public Work's Department Standards. An access road shall be provided to within 150 feet of all exterior walls of the first floor of the buildings. The route of the access road shall be approved by the Fire Marshal.
22. Every building shall be accessible to Fire Department apparatus by way of all weather access roadways during the time of construction. These roads shall have a minimum unobstructed width of 20' and shall be required to have a minimum 'first lift' of pavement applied which shall support the imposed load of a fire apparatus which is typically 37 tons. **(no exceptions)** The developer shall be required to provide the Fire Marshal with a site plan showing the location, width, grades, and cross section of the proposed access roads to be used during construction. Permits shall not be issued and combustible construction

shall not be allowed on the site until this site plan is reviewed and approved and stamped by the Fire Department. Note: Provide specific details regarding the proposed access road that intersects the property.

Fire Lanes and No Parking Zones

23. The Fire Marshal shall identify on the final site development plans all Fire Lanes and areas where parking is to be restricted. The location of these lanes, signage, and curb painting shall be determined at the sole discretion of the Fire Marshal.

Fire Protection and Detection

24. Subject to the review and approval of the Fire Marshal, an Automatic Fire Sprinkler System shall be installed in accordance with N.F.P.A. 13R. Any fire sprinkler system with over twenty-five (25) heads shall be monitored for water flow by a central station approved by the Fire Marshal.
25. When multiple control valves and Fire Department Connections (F.D.C.) are installed in close proximity to one another, a signal device shall be installed on each (F.O.C.) which will be audible or visual either upon activation to clearly define which system has specifically been activated. The type of device shall be approved by the Fire Marshal.
26. A Manual Fire Alarm System, including a fire alarm control panel and all other associated equipment and devices according to the applicable standards published by N.F.P.A. shall be installed to the satisfaction of the Fire Marshal. The fire alarm panel shall clearly identify the location of the specific alarm within the building. Codes to silence the alarm system shall be provided within the fire alarm panel or Knox Box. Plans and specifications shall be submitted to the Fire Department for review and approval prior to installation.
27. The Fire Marshal shall approve the location, number, and sizes of all portable fire extinguishers prior to the issuance of any building permits.
28. All fire protection systems including, but not necessarily limited to, fire sprinkler systems, fire alarm systems, and fixed fire extinguishing systems must comply with the most recent adopted standards published by the National Fire Protection Association, (NFPA), except where specifically amended modified by Fire Department policy or ordinance.

Fire Protection and Detection System Plans

29. Plans and specifications for the installation of any new fire protection and/or detection systems or any modification to an existing system shall be submitted to the Fire Department for review and approval prior to installation. This includes all underground civil plans pertaining to all on-site fire protection.
30. All detailed plans and specifications for private fire protection and or detection systems shall be submitted separately to the Fire Marshal for review and approval. Prior to the issuance of any grading or Building Permits, the applicant shall integrate the approved plans for fire protection and detection systems into the plans submitted to the Planning Development Department for all civil improvements.

Trash Enclosures

31. All dumpsters or trash containers with an individual capacity of 1.5 cubic yards or more shall not be stored in buildings or placed within five (5) feet of combustible walls, openings, or combustible roof eave lines unless protected by an automatic sprinkler system approved by the Fire Marshal.

Knox Boxes

32. An acceptable emergency access key box (Knex Model 3200) shall be located to the right side of the main entrance, no higher than six (6) feet from the ground. This key box shall be easily visible and accessible to the Fire Department. A Knox sticker shall be affixed on the door adjacent to the Knox Box.
33. Obtain a Knox application from the City Administration Offices.

Premise Identification

34. Approved numbers or addresses shall be placed on all new buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Said numbers shall contrast with their background. Unless specifically exempted by the Fire Marshal, address numbers are also required on rear doors.
35. An illuminated graphic directory, approved by the Fire Marshal, shall be provided at each main entrance to any residential or commercial condominium complex, apartment complex, townhouses, mobile home parks, and multiple tenant and commercial building complexes. The directory shall consist of the following:
- (a) a plot plan showing public and private drives;
 - (b) all emergency and non-emergency access roads;
 - (c) building locations with unit numbers and addresses;
 - (d) fire hydrant locations;
 - (e) the name of the complex;
 - (f) a reference point on the plot plan indicating the location of the directory;
 - (g) a north direction indicator.

Aerial Pre-Plan

36. Development shall have an approved aerial preplan identifying the fire departments related safety items, through an approved third party vendor at the no cost to the city or fire department.
37. Turning Radius. Permittee shall provide turning radius on plans to ensure compliance with Fire Department standards.
38. The project shall meet the requirements of Richmond Municipal Code (RMC) Chapter 12.62 either by including on site publicly accessible art valued at one percent of the Building Development Cost or by paying an in-lieu contribution of one percent of the Building Development Cost to the City's Public Art Project account as set forth in RMC

Section 12.62.050. Building Development Cost shall be as defined in the RMC Chapter 12.62.

39. Prior to issuance of a construction-related permit, the permittee shall prepare a traffic control plan (TCP) to minimize, to the extent feasible, impacts on Brickyard Cove Road and Dornan Drive. The TCP shall be subject to review and approval by the Director of Planning and Building Services or his/her designee. The project applicant shall implement the approved Plan prior to (as appropriate) and during construction.
40. All light fixtures shall be shielded, indirect, dark sky friendly and have output color temperature of no greater than 3,000 Kelvins.
41. Ground water and/or storm water runoff shall not be allowed to flow from the site across the Bay Trail's shoulder or pavement.
42. Bay Trail Construction. The design of the Bay Trail will be reviewed by the City for conformity with applicable engineering standards before construction permits are issued, including paving thickness, DG thickness and compaction, drainage, root barriers, and header boards.
43. Bay Trail Landscaping. Landscaping adjacent to the Bay Trail shall be non-spreading to minimize or avoid plants encroaching upon trail shoulders. Where landscape strips are narrow, consider using *Armeria maritima*, *Erigeron glaucous*, *Osteospermum ecklonis* "Asti White", "Akila Purple" & "Tradewinds Yellow", *Achillea* "moonshine" and *Deschampsia cespitosa* as planting materials.
44. Walls & Fences. The Homeowners' Association covenants, conditions, and restrictions (CC&Rs) shall limit the height of solid walls or fencing along the Bay Trail to 48 inches, with any wall or fence extension above 48 inches to be open in character. Chain link fencing shall not be permitted.
45. Bay Trail Orientation Signs: The applicant shall collaborate with Trails for Richmond Action Committee (TRAC) to prepare a plan for Bay Trail orientation and way-finding signs content, design, size, location and orientation, including but not limited to updated 2'x3' orientation map panels to be produced and installed on at least two locations at or near the project site while also fabricating and installing updated versions of the three other panels present on the Ferry Point Loop of the Bay Trail to include the project's new Bay Trail. The resulting Bay Trail sign plan shall be included in the Subdivision Improvement Agreement.
46. Bay Trail Interpretive Signs: At least three 2' x 3' interpretive panels shall be created and installed in a National Park Service low profile frame on the topics of Parr-Richmond Terminal 1, Golden Gate Ferry Terminal and types of commercial shipping vessels traversing the adjacent channel. Panel location and design shall be developed in collaboration with TRAC and be consistent with the design of Bay Trail interpretive panels

installed along the Bay Trail in Richmond. Location and design of the panels shall be included in the Subdivision Improvement drawings.

47. The applicant shall apply for an easement for the bay trail portion along the north side of Brickyard Cove Road prior to approval of the subdivision plans and issuance of the first certificate of occupancy.
48. Street Improvements. The 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.
49. The Project 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 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.
50. Submit Operations and Maintenance Plan and an O&M Agreement per the City of Richmond Templates for the storm water quality facilities. After approval of the O&M Plan and Agreement by the Water Resource Recovery Department the following shall occur:
 - (a) The property owner must sign and notarize the Agreement first
 - (b) Then submit it to the City along with a Legal description of the property.
 - (c) City officials will sign and notarize the Agreement.
 - (d) The executed Agreement is recorded with the County by the City.
 - (e) The City will provide Property owner a copy of the recorded Agreement.
51. The Project 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 Water Resource Recovery Department for review prior to finalizing project utility plan. In addition, video of pipes constructed shall be completed prior to occupancy of the units.
52. Project will install a two-way cleanout, overflow protection device and a backflow device for each unit/connection. Coordinate number of connections with MEP consultant.
53. Project shall comply with minimum storm drain standards set forth in City of Richmond Standards Plans and in the RMC. Documentation provided in support of proposed Storm Drain improvements shall include, but is not limited to:
 - (a) Project 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) Project 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 Section 12.44.060(f) - Design standards and grading regulations (Regulations for Drainage).

54. The project shall conform to the latest C3 standards and Best Management Practices.
55. Applicant shall implement the Mitigation Monitoring and Reporting Program.
56. Roads. The applicant shall repair any roads damaged because of the Project construction activity to a structural condition equal to that which existed prior to construction activity. Prior to Project construction, City of Richmond Public Works Department or the Director's designated representative shall document road conditions for all routes that would be used by Project construction-related vehicles. The City would also document road conditions after Project construction is completed. The pre- and post-construction conditions of the haul routes shall be reviewed, and The Permittee or contractor(s), and staff of the Public Works Department, would enter into an agreement prior to construction that details the pre-construction conditions and the post-construction requirements of a rehabilitation program.

Vesting Tentative Map

57. In addition to the standard engineering conditions of approval the applicant shall meet all of the following:
- a. All streets, sidewalks, Bay Trail, open space areas, storm drains, sanitary sewers, and related appurtenances shown within the development shall be the responsibility of the applicant to maintain.
 - b. The applicant shall make all repairs to the existing wharf structure to ensure a design life of no less than 75 years. Future maintenance of the wharf and park shall be the responsibility of the applicant.
 - c. The applicant shall complete a Pavement Conditions Assessment for each road used by trucks delivering materials to the site. These assessments shall be completed in accordance with the Metropolitan Transportation Commission's guidelines. This evaluation shall be completed before and after construction to determine the change in the Pavement Conditions Index. The permittee shall be responsible for paying their pro rata share of pavement restoration for any decrease in the Pavement Conditions Index (PCI) to restore the roadway to a PCI rating of 100. For example, if the pre and post PCI is 60 and 40 respectively, there is a 20-point decrease. Therefore, the permittee would be responsible for paying the City 20% of the cost to restore the roadway to a PCI rating of 100. This fee shall be collected prior to issuing the final certificate of occupancy for the development. The cost of restoring the roadway shall be based upon the City's current pavement conditions report.
58. **Sheet C1.0 – Cover Sheet**
- a. The applicant shall prepare the final construction documents consistent with the Geotechnical Engineer's recommendations. The Geotechnical Engineer shall submit a signed and sealed letter confirming the final improvement plans are consistent with their recommendations.

59. Sheets C2.0 Boundary and Existing Conditions

- a. For the property description it states, “this property description has been prepared by me, or under my direction.” The letter of response states that Sheet C1.0 has the updated name. The applicant shall confirm the boundary survey and property description compiled by a land surveyor or a civil engineer registered before 1982.
- b. The applicant shall vacate all easements within the project area that are in conflict with the development and to the satisfaction of the City Engineer prior to submittal of the first final map.

60. Sheets C3.0 Lot and Site Plan

- a. Based upon supplemental information provided by the applicant on 11.8.2022, the City understands the development includes the following parcels:

PARCEL USE	NUMBER	PARCELS
PARCELS TO BE RETAINED BY THE CITY OF RICHMOND	6	PARCEL A,B,L,M,O, & Q
COMMERCIAL PARCEL	1	1
COMMON USE PARCEL	11	PARCEL C,D,E,F,G,H,I,J,K,N, & P
RESIDENTIAL LOTS	154	2-155

- b. Applicant shall clarify why Parcel O to be retained by the City if it is labeled as “common space.”
- c. The plans do not indicate the EVA route, applicant shall confirm that the turn radius fs 25-ft inner and 45-ft outer per the Fire Marshall’s direction.

61. Sheet C4.0 Horizontal Control Plan

- a. All curb ramps installed by the applicant shall be in the direction of travel.
- b. In the improvement plans, the applicant shall show the location of the Ferry Point Sanitary Sewer Lift Station. The applicant shall coordinate the location of the driveway consistent with the location of the sanitary sewer lift station and to the satisfaction of the City Engineer.
- c. On street parallel parking shall not be allowed within 20 feet of an intersection. Provide at least 6 feet of no parking clearance at all driveways.
- d. The applicant shall coordinate and pay all costs associated with securing permanent and any construction easements necessary to construct the Bay Trail on lands currently owned by East Bay Regional Park District along the north side of Brickyard Cove Road.
- e. The applicant shall provide a debris catchment fence along the Bay Trail along Brickyard Cove Road to the satisfaction of the City Engineer.
- f. The Bay Trail shall be constructed to the current Bay Trail standards. Any deviations from these standards shall not be permitted unless approved by the City Engineer. At no time, shall the Bay Trail deviate from the Class 1 standard as defined in the State of California Department of Transportation’s Highway Design Manual.

- g. Applicant shall design the homes and site grading to ensure that the sidewalks maintain a maximum cross slope that do not exceed 2%. The use of rolled curbs, shall be approved by the City Engineer.
- h. The use of stop control intersections within the development shall be supported by a warrant analysis consistent with the requirements of the Manual of Uniform Traffic Control Devices.

62. Sheet C6.0 Preliminary Utility Plan

- a. The joint utility trench shall be installed under sidewalks where possible.
- b. The applicant shall be responsible for providing adequate easement area for transformers and related public utility equipment.
- c. The applicant shall provide street lighting along Brickyard Cove Road consistent with the requirement of the Illuminating Engineering Society of North America. The lighting levels shall be as required by the City Engineer.
- d. The applicant shall provide street lighting along Brickyard Cove Road consistent with the requirement of the Illuminating Engineering Society of North America. The lighting levels shall be approved by the City Engineer.
- e. All streetlights shall be light emitting diodes with color temperatures of less than 3,000 kelvin. All fixtures shall be dark sky friendly.
- f. Applicant shall complete an inspection of the storm drain outfall consistent with the Pipeline Assessment Certification Program as administered by the National Association of Sewer Service Companies. The applicant shall be responsible for rehabilitating the pipeline consistent with the inspection and as direct by the City Engineer.

63. Sheet C7.0 Preliminary Stormwater Control Plan

- a. The applicant shall complete all remedial actions at the site to mitigate soil contamination as required by the Regional Water Quality Control Board.

Design Review Board

- 64. The applicant shall meet with the Richmond Yacht Club (RYC) prior to the public hearing before the City Council to make a good faith effort to resolve issues including but not limited to the following: property boundary, drainage, stormwater, fencing design, access to lockers and open space.
- 65. Public art shall be required at the corner retail building.
- 66. Minimum bay trail setback from any house shall be a minimum of 12-feet.
- 67. Units in the middle of the project shall have a third story limited to 80% of the floor area below for 50% of the units.
- 68. The corner retail space shall provide a dumpster enclosure.

69. The applicant shall add to Site Plan B a tree or mound (traffic control measure) at the center of drop off area.
70. The bay trail retaining wall guard rail shall be hot-dipped galvanized vertical pickets.
71. The bay trail retaining wall along the south shore and RYC lockers shall not exceed 6-feet in height.
72. The bay trail retaining wall shall be a minim of 3-feet away from the Richmond Yacht Club lockers and shall be maintained by the HOA with drainage to capture and divert water from the lockers.
73. The applicant shall return to the DRB at a future meeting for major design review of the architecture for the house plans, landscaping, lighting, and signage.