

Attachment A

PLANNING COMMISSION RESOLUTION 23-04 WITH EXHIBIT A: CONDITIONS OF APPROVAL

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PINOLE APPROVING COMPREHENSIVE DESIGN REVIEW (DR21-19), CONDITIONAL USE PERMIT FOR WHOLESALE DISTRIBUTION AND PARKING REDUCTION (CUP 23-03), AND TENTATIVE PARCEL MAP (PM23-01) TO CONSTRUCT TWO BUILDINGS TOTALING 117,692 SQUARE FEET AND MERGING FIVE PARCELS INTO ONE LOCATED AT 830-848 SAN PABLO AVENUE (APNS 402-230-015, 016, 017, 018 & 020) AND FINDING THE PROJECT EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

WHEREAS, OneCorp Global in association with Herdman Architecture & Design (Applicant) filed an application with the City of Pinole for a Comprehensive Design Review, Conditional Use Permit, and Tentative Parcel Map for the purpose of constructing two concrete tilt-up buildings totaling 117,692 square feet Title 17, of the Pinole Municipal Code (the “Project”; and

WHEREAS, the Project site is located on the north side of San Pablo Avenue on a property identified as APNs 402-230-015, 016, 017, 018 & 020; and

WHEREAS, the site has a General Plan Land Use Designation of Sub Service Area (SSA) and has a Specific Plan Land Use designation and Zoning designation of SSA/San Pablo Avenue Corridor/Office Industrial Mixed Use, (OIMU); and

WHEREAS, the site is adjacent to the Pinole Shores I project, which includes two light industrial buildings, and a building that is used for ancillary commercial uses (a restaurant, a commercial kitchen for small business and catering, and a gym); and

WHEREAS, new non-residential buildings are subject to review and approval of a Comprehensive Design Review application; and

WHEREAS, this project is proposing wholesale distribution as a use for the proposed buildings, which requires a Conditional Use Permit; and

WHEREAS, this project is requesting a reduction of parking commiserate with the additional fractional parking required based on number of employees, which requires a Conditional Use Permit; and

WHEREAS, the applicant is proposing to merge the five existing parcels on the project site, which requires a Tentative Parcel Map; and

WHEREAS, this project successfully implements policies of the General Plan and Three Corridors Specific Plan; and

WHEREAS, the City of Pinole General Plan and Three Corridors Specific Plan were approved, and the Environmental Impact Report (SCH Number 2009022057) was certified on

October 20, 2010, by Resolution Number 2010-88, and are hereby incorporated by reference and copies of which are available at City Hall; and

WHEREAS, in compliance with California Environmental Quality Act (CEQA), the City prepared a CEQA Analysis (which is located in Attachment B of the Staff Report); and

WHEREAS, the CEQA Analysis uses streamlining provisions in accordance with CEQA Guidelines 15168 and 15183 for consistency with the General Plan and Three Corridors Specific Plan and the certified Environmental Impact Report (EIR); and

WHEREAS, the CEQA Analysis identified environmental conditions of approval, which ensure implementation of applicable mitigation measures and policies set forth in the General Plan, Three Corridors Specific Plan and the corresponding EIR, and which have been incorporated into the Conditions of Approval for the Project; and

WHEREAS, the Planning Commission has reviewed the CEQA analysis contained in Attachment B to the Staff Report for this Project dated May 8, 2023; and

WHEREAS, the Planning Commission has considered the Project in light of the items listed in Municipal Code sections 17.12.140 17.12.150(H), and Chapter 16.12; and

WHEREAS a notice of public hearing was distributed to all property owners and apartment units within 300 feet of the Project site and a notice was published in the April 28, 2023, edition of the West County Times; and

WHEREAS the Planning Commission held a duly noticed public hearing on May 8, 2023, and considered all public comments received, the presentation by City staff, the staff report and exhibits, and all other pertinent documents regarding the proposed request.

NOW THEREFORE, BE IT RESOLVED, that the above recitals are true and correct and made part of this resolution.

BE IT FURTHER RESOLVED that the Planning Commission approves and finds that the Project is consistent with the programmatic EIR previously certified by the City for the Three Corridors Specific Plan, and therefore the Project is exempt from further environmental review under the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Section 15168 and 15183 as further described in the CEQA analysis contained in Attachment B to the staff report dated May 8, 2023.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Pinole hereby approves DR 21-19, CUP 23-03, and PM23-01 subject to the Conditions of Approval, applicable to the entire Project, attached as Exhibit A to this Resolution and incorporated herein, and hereby makes the following findings, for the reasons provided in the Planning Commission Staff Report dated May 8, 2023 and incorporated by reference:

Design Review Findings

1. The proposed project is consistent with the objectives of the general plan and complies with applicable zoning regulations, planned development, master plan or specific plan provisions, improvement standards, and other applicable standards and regulations

adopted by the city.

2. The proposed project will not create conflicts with vehicular, bicycle, or pedestrian transportation modes of circulation.
3. The site layout (orientation and placement of buildings and parking areas), as well as the landscaping, lighting, and other development features, are compatible with and complement the existing surrounding environment and ultimate character of the area under the general plan and the Three Corridors Specific Plan: and
4. Qualifying single-family residential, multi-family residential, and residential mixed-use projects shall comply with all relevant standards and guidelines in the city's currently adopted design guidelines for residential development.

Conditional Use Permit Findings

1. The proposed use is consistent with the general plan, any applicable specific plans, and all applicable provisions of this title
2. The establishment, maintenance, or operation of the use applied for will not, under the circumstances of the particular case (location, size, design, and operating characteristics), be detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or working in the neighborhood of such use or to the general welfare of the city
3. The site of the proposed use is physically suitable for the type, density and intensity of the use and related structures being proposed.
4. It will not be contrary to the specific intent clauses, development regulations, or performance standards established for the zoning district in which it is located. The proposed use and related structures are compatible with other land uses, transportation, and service facilities in the vicinity.

Reduction of Parking Findings

The Planning Commission also finds that this proposed reduction of parking for the project meets the following three circumstances as stated in Section 17.48.060 (B)(1):

- a. The use will be adequately served by the proposed parking due to the nature of the proposed operation; proximity to frequent transit service; transportation characteristics of persons residing, working, or visiting the site; or because the applicant has undertaken a travel demand management program that will reduce parking demand at the site.
- b. Parking demand generated by the project will not exceed the capacity of or have a detrimental impact on the supply of on-street parking in the surrounding area.
- c. The site plan is consistent with the objectives of the zoning district and incorporates features such as unobtrusive off-street parking placed below the ground level of the project with commercial uses above or enclosed parking on the ground floor.

PASSED AND ADOPTED by the Planning Commission of the City of Pinole on this 8th day of May 2023, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Franke Martinez, Chair 2023-2024

ATTEST:

David Hanham, Planning Manager



Exhibit A
PLANNING COMMISSION RESOLUTION 23-04 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification</u> (date and Signature)
<u>General Conditions</u>				
1.	<u>CONVENANT</u> – The owner shall hold harmless the City, its Council Members, its Planning Commission, officers, agents, employees, and representatives from liability for any award, damages, costs, and fees incurred by the City and/or awarded to any plaintiff in an action challenging the validity of this permit or any environmental or other documentation related to approval of this permit. The owner further agrees to provide a defense for the city in any such action.	Ongoing	Community Development Department/ Public Works Department	
2.	<u>APPROVAL OF CONDITIONS ON CONSTRUCTION PLANS</u> – These Conditions of Approval shall be included or referenced on the coversheet of the project improvement plan and building construction plans.	Prior to issuance of Building Permit	Community Development Department	
3.	<u>OCCUPANCY PERMITS</u> – Occupancy permits shall not be granted until construction is completed and finalized in accordance with the approved plans and conditions of approval required by the City, or a bond has been posted to cover all costs of the unfinished work as agreed to by the Community Development Department.	Prior to Occupancy Permits	Community Development Department	



Exhibit A
PLANNING COMMISSION RESOLUTION 23-04 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification</u> (date and Signature)
4.	GENERAL – All public improvements shall be made in accordance with the latest adopted Contra Costa County Standard Drawings and Specifications. All work shall conform to the applicable City ordinances. Good housekeeping practices shall be observed at all times during the course of construction. The storing of goods and materials on the sidewalk and/or street will not be allowed unless a special permit is issued. The owner’s representative in charge shall be at the job site during all working hours.	During Construction	Public Works Department	
5.	PERMITS REQUIRED BY OTHER AGENCIES – The applicant shall obtain all permits that may be required by one or more federal, State, or local agency, service provider, or easement holder including but not limited to the following: State Department of Fish and Wildlife, Caltrans, Army Corps of Engineers, Bay Area Air Quality Management District, Kinder Morgan, EBMUD, and PG&E, County Flood Control and Water Conservation District, County Environmental Health, and the West Contra Costa Unified School District. If project is within jurisdiction of any of these agencies, verification of permit or waiver of permit must be given to the Community Development Department prior to issuance of any City permits. If the City is required to be party to the permit and an application and fee is required, the applicant shall reimburse the City for its cost. A Notice of Intent	Prior to Issuance of Permits	Community Development Department	



Exhibit A
PLANNING COMMISSION RESOLUTION 23-04 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and Signature)</u>
	must be issued by the Regional Water Quality Control Board before a permit can be issued and a Notice of Termination must be issued at the end of the project by the Regional Water Quality Control Board before a Certificate of Occupancy is issued.			
6.	<u>EXERCISE OF ENTITLEMENTS</u> – The applicant has two (2) years to exercise the entitlement. Entitlements shall be considered exercised when a Building Permit is issued for the first building. Requests for extensions shall be in accordance with Section 17.10.100.	Prior to issuance of Building Permit	Community Development Department	
<u>Public Works Conditions</u>				
7.	<u>PERMITS, BONDS, AND INSURANCE</u> – The applicant shall obtain an encroachment permit, posting the required bonds and insurance, for all work to be done in the City’s right-of-way. This encroachment permit shall be obtained prior to the issuance of a building permit and prior to any work being done in the City’s right-of-way.	Prior to issuance of Encroachment Permits	Public Works Department	



Exhibit A
PLANNING COMMISSION RESOLUTION 23-04 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and Signature)</u>
8.	<u>SITE DEVELOPMENT</u> – The applicant shall submit a site grading and drainage plan with all supporting data, including hydraulic calculations. The grading and drainage plan shall be prepared by a registered Civil Engineer and be approved by the Public Works Department prior to the issuance of any City permits pursuant to PMC §15.36.	Prior to issuance of Permits	Public Works Department	
9.	<u>REFUSE AREA AND DESIGN</u> – The project shall provide for service by Republic Services. The area and access to trash, recycling, and green waste containers shall be approved in advance by Republic Services.	Prior to the issuance of Building Permit	Public Works Department	
10.	<u>EROSION CONTROL PLAN</u> – The applicant shall submit an erosion control plan in accordance with the City’s Grading Ordinance (PMC §15.36.190) when grading is performed during winter season (October 1 through April 15). For all sites over one acre, in accordance with the City's Erosion Control Ordinance (PMC §08.20) the applicant shall submit: a. Storm Water Pollution Prevention Plan (SWPPP) b. Storm Water Control Plan (SCP) Certified by an Architect or Engineer. c. Operation and Maintenance.	Prior to issuance of Permits	Public Works Department	

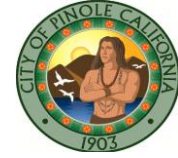


Exhibit A
PLANNING COMMISSION RESOLUTION 23-04 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and Signature)</u>
11.	PARKING LOTS – The applicant shall submit plans for parking lots showing proper grading, drainage, and conformance to City engineering standards. The plans shall be prepared by a registered Civil Engineer and be approved by the Public Works Director.	Prior to issuance of Permits	Public Works Department	
12.	MATERIAL HAULING – The applicant shall submit a proposed material hauling route and schedule. Said submittal shall be approved by the City Engineer prior to issuance of a building or site development permit. All material hauling activities including but not limited to, adherence to approved route, hours of operation, dust control and street maintenance shall be the responsibility of the applicant (as per Section 15.36.080 of the PMC). Violation of such may be cause for suspension of work.	Prior to issuance of Permits	Public Works Department	
13.	TREATMENT PLANT CAPACITY CONTRIBUTION – The applicant shall pay sewer connection fees pursuant to PMC § 13.05.420 or such similar fees imposed by the City of Pinole, if applicable.	Prior to Issuance of Building Permits	Public Works Department	



Exhibit A
PLANNING COMMISSION RESOLUTION 23-04 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and Signature)</u>
14.	<u>SEWER USE FEES</u> – The applicant shall pay sewer use fees, or such similar fees imposed by the City of Pinole, if applicable.	Prior to issuance of Building Permits	Public Works Department	
15.	<u>CHARGES FOR PUBLIC WORKS</u> – The applicant shall deposit funds with the City to pay for all engineering, inspection and survey services that may be required during construction of the project in accord with PMC §13.05.430	Prior to issuance of Permits	Public Works Department	
16.	<u>INSPECTIONS</u> – The applicant shall notify the Public Works Department at least forty-eight (48) hours prior to starting any work pertaining to on-site drainage facilities, grading, or paving; all work in the City’s right-of-way as per Section 15.36.230 of the Municipal Code.	Prior to Issuance of Permits	Public Works Department	
17.	<u>UNDERGROUND UTILITIES</u> – The applicant must agree to install all utility service, including telephone, electric power, and other communications lines underground as per Chapter 13.16 of the Municipal Code.	Prior to issuance of Building Permits	Public Works Department	
18.	<u>STORM DRAINAGE STUDY</u> – The applicant shall submit a completed storm drainage study of the proposed project showing amount of run-off, and existing	Prior to issuance of Building Permits	Public Works Department	



Exhibit A
PLANNING COMMISSION RESOLUTION 23-04 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and Signature)</u>
	and proposed drainage structure capacities. This study shall be subject to review and approval by the City Engineer.			
19.	<u>DRAINAGE PLANS</u> - The applicant shall prepare a construction drainage plan and final drainage plan for Public Works Department review and approval. The construction drainage plan will show how drainage will be handled during construction. The final drainage plan will show how drainage will be handled after construction is complete. The final plans shall demonstrate capacity to manage stormwater runoff. Site design shall avoid drainage of water from one property onto another property and shall be subject to approval by the City Engineer.	Prior to issuance of Building Permit	Public Works Department	
20.	<u>SIDEWALK, CURB AND GUTTER REPAIR</u> - The applicant shall repair and replace to existing City standards, any sidewalk, curb, and gutter that is damaged now or during construction of this project. A field visit shall be scheduled with Community Development Department and Public Works Department staff prior to the issuance of any construction permits to document pre-construction conditions in the field.	Prior to Occupancy	Public Works Department	



Exhibit A
PLANNING COMMISSION RESOLUTION 23-04 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and Signature)</u>
21.	WHEELCHAIR RAMP(S) – The applicant shall construct all wheelchair ramp(s) in accordance with applicable California Building Code and ADA requirements.	During Construction	Community Development Department/ Public Works Department	
22.	GRADING AND DEMOLITION PLANS – The applicant shall obtain City approval for the project grading and demolition plans prior to issuance of building permits.	Prior to Issuance of Building Permit	Public Works Department	
23.	CERTIFIED GRADED PAD – A California-Licensed Engineer shall certify that the graded construction pads have been adequately compacted and designed to support the proposed buildings.	Ongoing through Construction	Public Works Department	
24.	CONSTRUCTION SITE INFORMATION – A construction sign shall be installed on at the construction site that contains contact person’s name, mobile phone number, and email address shall be posted on the project site during the duration of construction. The property address shall be clearly marked during the construction process.	Ongoing through Construction	Public Works Department	



Exhibit A
PLANNING COMMISSION RESOLUTION 23-04 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and Signature)</u>
25.	DEBRIS REMOVAL – All building debris shall be disposed of outside the City of Pinole to a legal dump site.	During Construction	Community Development Department	
26.	CONSTRUCTION ACTIVITIES – The following provisions shall be followed during site excavation, public works, and building construction activities for the project: a. Work is restricted to between 7:00A.M. and 5:00 P.M. on weekdays. Work is restricted on federal holidays. Work is allowed on holidays occurring on weekdays that are recognized by the City of Pinole, but not acknowledged federally which include Cesar Chavez's Birthday and the Day After Thanksgiving, but no inspections will be performed. b. Earth haul and materials delivery to and from the site will be prohibited between the hours of 7:00 - 9:00 A.M. and 3:00 - 6:00 P.M. c. All construction vehicles should be properly maintained and equipped with exhaust mufflers and meet State and Federal standards.	During Construction	Community Development Department	



Exhibit A
PLANNING COMMISSION RESOLUTION 23-04 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and Signature)</u>
	<p>d. Newly disturbed soil surfaces shall be watered down regularly by a water truck maintained on site during all day light hours and construction grading activity shall be discontinued in wind conditions greater than 10 miles per hour.</p> <p>e. Construction activities shall be scheduled so that paving and foundation placement begin immediately upon completion of grading operation.</p> <p>f. All excavated materials shall be covered with a tarp during transit to and from the site.</p>			
27.	<p><u>CONSTRUCTION WASTE MANAGEMENT PLAN</u> – The Applicant shall submit to the Community Development Department a pre-construction waste management plan prior to the issuance of any construction permit to satisfy the CALGreen Building Code requirements.</p>	Prior to Issuance of Permits	Community Development Department	



Exhibit A
PLANNING COMMISSION RESOLUTION 23-04 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and Signature)</u>
28.	<u>CONSTRUCTION WASTE MANAGEMENT REPORT – DEBRIS REMOVAL</u> – The applicant shall complete post-construction waste management report for review and approval by the Community Development Department prior to final inspection to satisfy CALGreen Building Code Requirements. All building debris shall be properly disposed of outside the City of Pinole.	Prior to Issuance of Permits	Community Development Department	
29.	<u>PRE-CONSTRUCTION MEETING</u> – The applicant’s construction contractor(s) shall attend a pre-construction meeting as needed with City Staff to coordinate satisfaction of conditions of approval during construction.	Prior to Issuance of Permits	Community Development Department/ Public Works Department	
30.	<u>SOILS REPORT</u> – A soils A soils report containing all design recommendations of footings, retaining walls and any other information pertinent to the soil condition shall be required. The soils report shall be prepared by a licensed soils engineer or geologist.	Prior to Issuance of Permits	Community Development Department/ Public Works Department	
31.	<u>STANDARD DRAWINGS FOR PUBLIC IMPROVEMENT</u> – All public improvements shall be made in accordance with the latest adopted Contra Costa County Standard Drawings and Specifications. All work shall conform to the applicable	Prior to Issuance of Permits	Public Works Department	



Exhibit A
PLANNING COMMISSION RESOLUTION 23-04 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and Signature)</u>
	City Ordinances. Best Construction Management Practices shall be observed at all times during the course or construction.			
32.	CONSTRUCTION MANAGEMENT – The storing of goods and materials on the sidewalk and/or street will not be allowed unless a special permit is issued. The project site shall be kept free of litter and all construction equipment and materials will be secured at the end of each construction day. The applicant’s representative in charge shall be at the job site during all working hours. The public streets adjacent to construction activity shall be maintained in a clean and orderly condition to the satisfaction of the Public Works Director.	Prior to Issuance of Permits	Public Works Department	
33.	PUBLIC WORKS INSPECTIONS —The applicant shall notify the Public Works Department at least forty-eight (48) hours prior to the starting any work pertaining to on-site drainage facilities, grading, or paving, as well as any work in the City’s Right-of-Way as per Section 15.36.230 of the PMC. The applicant shall arrange all inspections with the Public Works Inspector.	During Construction	Public Works Department	



Exhibit A
PLANNING COMMISSION RESOLUTION 23-04 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification</u> (date and Signature)
<u>Community Development Conditions</u>				
34.	<u>UTILITIES</u> – All electrical, telephone, water, C.A.T.V. and similar utility services which provide service to the subject building shall be installed underground. All transformers, meter boxes, etc., shall be screened from view wherever possible.	Prior to Occupancy Permits	Community Development Department/ Public Works Department	
35.	<u>EXTERIOR MATERIAL AND COLORS</u> – All exterior materials and colors shall reflect those in the plan set dated September 14, 2023, approved by the Planning Commission. Once installed, all improvements are to be maintained in accordance with the approved plans. Any changes which affect the exterior character shall be resubmitted to the Community Development Department for review and approval. The Planning Manager may approve minor changes. Any changes determined by the Community Development Department to be significant may be referred to the Planning Commission after conferring with the Chair of the Planning Commission.	Ongoing	Community Development Department	



Exhibit A
PLANNING COMMISSION RESOLUTION 23-04 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification</u> (date and Signature)
36.	<u>PARKING MANAGEMENT PLAN</u> – The applicant shall submit a final parking management plan for review and approval by the Planning Manager.	Prior to Issuance of Building Permit	Community Development Department	
37.	<u>PARKING</u> – The applicant shall demonstrate that the parking requirements under Chapter 17.48 of the PMC and any other building code required for the proposed development have been fulfilled. Each parking space designated for compact cars shall be identified with a pavement marking reading “Compact Only,” or its equivalent. All parking spaces intended to satisfy on-site parking requirements shall be located within the project site boundaries. Additional parking may be used to satisfy on-site parking requirements if project site boundaries change as a result of a recorded parcel map, or a Conditional Use Permit is granted and a shared parking agreement with an abutting property owner is recorded.	Prior to Issuance of Building Permit	Community Development Department	
38.	<u>END USER PARKING ANALYSIS</u> – After an end-user is identified for each building, the applicant shall conduct a parking analysis utilizing actual employee counts, and subject to review and approval by the Planning Manager, to confirm that Transportation Demand Management measures are sufficient to ensure that parking demand will not exceed on-site parking. If additional Transportation Demand Management measures are required to reduce parking demand, the Transportation	Prior to Issuance of Building Permit	Community Development Department	



Exhibit A
PLANNING COMMISSION RESOLUTION 23-04 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and Signature)</u>
	<p>Demand Management Plan in COA No. 39 shall be updated and submitted for the review and approval by the Planning Manager.</p> <p>Re-tenanting the buildings shall require an updated parking analysis and may require an updated Transportation Demand Management Plan in order to ensure that that parking demand will not exceed on-site parking. Additional parking may be used to satisfy on-site parking requirements if project site boundaries change as a result of a recorded parcel map, or a Conditional Use Permit is granted and a shared parking agreement with an abutting property owner is recorded.</p>			
39.	<p><u>TRANSPORTATION DEMAND MANAGEMENT PLAN</u> – The applicant shall be required to submit a final Transportation Demand Management Plan that includes Transportation Management Associations (TMA) for large employers and commercial/industrial complexes for review and approval by the Planning Manager.</p>	Prior to Occupancy Permits	Community Development Department	



Exhibit A
PLANNING COMMISSION RESOLUTION 23-04 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and Signature)</u>
40.	TRANSIT – The applicant shall coordinate with WestCAT in conjunction with the relocation of sidewalk for the installation of a new bus shelter at the stop closest to the project site. The applicant shall coordinate with the WestCat and the City of Pinole on shelter design, which shall include seating.	Prior to Issuance of Occupancy Permit	Community Development Department	
41.	LIGHTING – The plan set shall include final lighting fixtures proposed on site. Lighting shall be consistent with the illumination levels and requirements under Pinole Municipal Code Chapter 17.46, or as otherwise required for the Building Division and Police Department for code compliance and safety. Any lighting used shall be so arranged as to reflect the light away from adjoining properties or public streets.	Prior to Issuance of Occupancy Permit	Community Development Department	
42.	MECHANICAL EQUIPMENT – All mechanical devices and their component parts, such as air conditioners, evaporative coolers, exhaust fans, or similar equipment located wholly or partially on the roof or wall shall be screened from view. All wall mounted heating units or air conditioners shall be flush-mounted or screened from view.	During Construction	Community Development Department	



Exhibit A
PLANNING COMMISSION RESOLUTION 23-04 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and Signature)</u>
43.	<u>PARKING LOT LIGHTING</u> – Lights shall be provided in the parking area. Any lighting used shall be so arranged as to reflect the light away from adjoining residential areas or public streets. Lighting shall be installed with the intent to provide only as much light as is necessary for public safety and shall satisfy the requirements of Chapter 17.46 of the PMC.	Prior to Issuance of Occupancy Permit	Community Development Department	
44.	<u>VENTS, GUTTERS, AND FLASHING, ETC.</u> – All vents, gutters, downspout, flashings, electrical conduits, etc., shall be painted to match the color of the adjacent surface.	Prior to Occupancy Permits	Community Development Department	
45.	<u>TRASH ENCLOSURES</u> – All trash enclosures shall be constructed of sturdy, opaque materials, which are in harmony with the architecture of the nearest building and shall meet applicable Contra Costa County Health Department and City requirements. Trash enclosures shall be covered.	Prior to Occupancy Permit	Community Development Department	
46.	<u>NOISE STANDARDS</u> - The noise standards established in the General Plan shall be applicable to all developments. These noise standards apply to exterior and are: <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <u>RESIDENTIAL</u> <u>COMMERCIAL</u> <u>INDUSTRIAL</u> </div>	Ongoing	Community Development Department	



Exhibit A
PLANNING COMMISSION RESOLUTION 23-04 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and Signature)</u>
	60 dBA (Day) 65dBA (Day & Eve) 75 dBA (All) 55 dBA (Eve) 60 dBA (Night) 50 dBA (Night) Day: 7 a.m. to 7 p.m.; Evening: 7 p.m. to 10 p.m.; Night: 10 p.m. to 7 a.m.			
47.	<u>SCHOOL, GROWTH AND PARK IMPACT FEES</u> – Prior to issuance of a building permit, the applicant shall pay all applicable school, growth (as per Chapter 3.20 of the Municipal Code) and park (as per Chapter 16.28 of the Municipal Code) impact fee.	Prior to Issuance of Building Permit	Community Development Department	
48.	<u>SUBREGIONAL TRANSPORTATION MITIGATION PROGRAM (STMP) FEE</u> – Prior to issuance of a building permit for new construction the applicant shall pay the applicable STMP fee, pursuant to PMC §16.30.	Prior to Issuance of Building Permit	Community Development Department	
49.	<u>DEVELOPMENT IMPACT FEE</u> – The applicant shall pay all applicable development impact fees prior to issuance of the building permit.	Prior to issuance of Building Permit	Community Development Department	



Exhibit A
PLANNING COMMISSION RESOLUTION 23-04 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and Signature)</u>
50.	<u>COST ESTIMATE</u> – The applicant shall obtain a cost estimate of construction permitting, including plan check and impacts fees, prior to applying for a building permit.	Prior to Submittal of a Building Permit	Community Development Department	
51.	<u>GEOTECHNICAL REPORT AND FOUNDATION DESIGN</u> – The project shall implement the recommendations of the Geotechnical Investigation (Soils Management Plan dated 10/3/2022 prepared by Levine-Frick. The project shall avoid the use of driven piles for creation of a deep foundation system. Where there are no alternatives to the use of driven piles, the project may be subject to reconsideration by Planning Commission and revised project documentation to on potential impacts, as deemed necessary by the Community Development Director	Prior to issuance of Building Permit	Community Development Department	
52.	<u>GENERAL LANDSCAPING REQUIREMENTS</u> - The Applicant shall prepare a detailed final landscape plan. The final landscaping plan shall be prepared by a landscape architect, registered in California, and shall be submitted to the Community Development Department for review and approval prior to the issuance of a building permit. The landscape plan shall comply with Chapter	Prior to issuance of Building Permit	Community Development Department	



Exhibit A
PLANNING COMMISSION RESOLUTION 23-04 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and Signature)</u>
	<p>15.54 and Chapter 17.38 of the Municipal Code, be in compliance with Condition No. 57 through 60 and shall include the following:</p> <ul style="list-style-type: none">a. Sizes, species, locations of all plant materials.b. Location of all trees (6 inches in diameter or greater).c. Irrigation plan indicating all components of the irrigation system including sprinklers and other outlets, valves, backflow prevention devices, controllers, and piping.d. All trees to be a minimum of 15 gallon, double staked and all proposed shrubs on site shall be a minimum of five gallon and use as many native plants and trees as possible.e. Native tree species shall be used to the maximum extent as possible in the planting of new trees, with any non-natives proposed supported with a statement by the landscape architect explaining the planting palette.			



Exhibit A
PLANNING COMMISSION RESOLUTION 23-04 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and Signature)</u>
53.	<u>LANDSCAPING MAINTENANCE</u> – The property owner shall ensure landscaping areas are maintained and that dead trees and vegetation shall be replaced.	Ongoing	Community Development Department	
54.	<u>WATER EFFICIENT LANDSCAPE</u> – The project shall demonstrate compliance with water efficient landscape requirements pursuant to Chapter 15.54 of the PMC for review with the building permit plans.	Prior to Issuance of Building Permit	Community Development Department	
55.	<u>CONSTRUCTION FENCING PLAN</u> – The applicant shall prepare and submit a final fencing plan for the construction fencing for review and approval by the Community Development Director. All fencing for construction purposes shall be durable and remain in good throughout the life of the construction of the project.	Prior to Issuance of Building Permit	Community Development Department	
56.	<u>PARKING LOT LANDSCAPE REQUIREMENTS</u> - All parking areas in excess of 30 stalls shall provide a minimum landscaped area of five feet in width where the facility adjoins a property line. The perimeter-landscaped strip may include any landscaped yard or landscaped area otherwise required and shall be continuous, except for required access to the site of to the parking. Interior landscaping within a parking lot containing 12 or more stalls shall include a minimum of one 15-gallon tree for each four parking spaces as per Section 17.24.050 (c) of the Municipal Code.	Prior to Issuance of Building Permit	Community Development Department	



Exhibit A
PLANNING COMMISSION RESOLUTION 23-04 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and Signature)</u>
57.	<u>LANDSCAPING CERTIFICATE OF COMPLETION</u> – A Certificate of Completion shall be submitted by either the signer of the landscape design plan, the signer of the irrigation design plan, or the licensed landscape contractor certifying that the landscape project has been installed per the approved Landscape Documentation Package.	Prior to Occupancy	Community Development Department	
58.	<u>TREE REMOVAL</u> – The applicant shall note the location of all mature trees (4 inches in diameter at breast height (measured 4.5 feet above natural grade) or greater) to be removed from the project site, provide an Arborist Report, and submit a tree removal permit application prior to issuance of a building permit.	Prior to the Issuance of Building Permit	Community Development Department	
59.	<u>STANDARD TREE REPLACEMENT REQUIREMENTS</u> – All trees that are removed from the site shall be replaced in accordance with the replacement table for existing trees. Any non-protected tree, which is removed, that was shown to be preserved on the final landscaping plan shall be replaced at twice the rate indicated on the replacement table.	Prior to Occupancy Permits	Community Development Department	



Exhibit A
PLANNING COMMISSION RESOLUTION 23-04 CONDITIONS OF APPROVAL

					Timing/ Implementation	Monitoring Department / Division	Verification (date and Signature)	
	<u>STANDARD REPLACEMENT TABLE FOR EXISTING TREES</u>							
	Size of Tree to be removed. (Trunk Diameter)	36 Inch Box	24 Inch Box	15 Gallon	5 Gallon			
	6" to 18"	1	2	10	15			
	18" to 24"	2	4	15	25			
	24" to 36"	3	6	20	45			
	36" & Over	4	8	30	60			
	Numbers in replacement table refers to quantities to be used to replace each tree. Each tree container size number in the vertical column represents a 100% replacement value for an existing tree removed (size as noted). These numbers (columns) may be mixed as long as proportionate totals will equal 100%. For example: one 24" tree may be replaced with six 24" box trees or three 24" box trees plus ten 15-gallon trees or one 36" box tree plus four 24" box trees, etc.							



Exhibit A
PLANNING COMMISSION RESOLUTION 23-04 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and Signature)</u>
60.	<p>PROTECTED TREE REPLACEMENT REQUIREMENTS - All trees designated as Protected trees pursuant to PMC Chapter 17.98, and which are approved for removal through a Tree Removal Permit issued by the City shall be replaced at a ratio of two replacement trees for each removed Protected tree and in compliance with the following:</p> <ul style="list-style-type: none"> a) For each removed Protected tree, one 48-inch or 60-inch box tree, and one 36-inch box trees shall be planted as replacement trees. b) The species of replacement trees and exact planting location is subject to review and approval by the Community Development Director, in consultation with the Planning Commission Ad-Hoc Subcommittee. c) The species selection shall be drought-tolerant and native, shall complement the architectural design of structures on the site, and shall be suitable for the soil and climatic conditions specific to the site. d) A protected tree removal plan, pursuant to PMC Section 17.96.060.D, shall be submitted indicating which protected trees can be removed and shall be used by the Community Development Director to issue a protected tree removal permit in compliance with the action taken on the entitlements. 	<p>Prior to the Issuance of Building Permit (tree removal plan)</p> <p>Prior to Occupancy Permits (installation of landscaping)</p>	Community Development Department	



Exhibit A
PLANNING COMMISSION RESOLUTION 23-04 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and Signature)</u>
61.	<u>CONFORMANCE WITH APPROVED PLANS</u> – All building permit drawings and subsequent construction shall substantially conform to the approved planning application drawings. Any modifications must be reviewed by the Planning Manager who shall determine whether the modification requires additional approval of the Planning Commission or City Council.	Prior to Issuance of Building Permits	Community Development Department	
62.	<u>MODIFICATION OF APPROVED PLANS</u> – Failure to obtain prior approval to modify the approved plans may result in a fine equal to double the original planning application permit fee and/or withholding of the occupancy permit until such time as the modification(s) to the plans has been reviewed by the Planning Commission or City Council.	Ongoing	Community Development Department	
63.	<u>VIOLATION/PENALTY</u> – Any person, firm or corporation, whether as principal, agent employee or otherwise, violating any of the provisions in Title 17 of the Municipal Code or any condition of an approval, permit or license granted pursuant to the provisions of this same title shall be deemed guilty of an infraction, punishable on the first offense by a fine not exceeding one hundred dollars, and on the second offense by a fine not exceeding two hundred dollars and on the third offense and subsequent violation by a fine not exceeding five	Ongoing	Community Development Department	



Exhibit A
PLANNING COMMISSION RESOLUTION 23-04 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and Signature)</u>
	hundred dollars and shall be deemed guilty of a separate offense for each and every day during any portion of which any violation of this title is committed, continued or permitted by such person, firm or corporation.			
64.	<u>STREET ADDRESS ASSIGNMENT</u> – An Address Assignment Plan for the project shall be submitted for review and approval and shall be reflected in the submitted building plans.	Prior to issuance of Building Permit	Community Development Department	
65.	<u>SITE MAINTENANCE</u> – The construction site shall be cleaned of garbage and debris on a daily basis and maintained in an orderly fashion. All construction equipment shall be secured at the end of each day of construction.	Ongoing through end of construction	Community Development Department	
<i>Building Conditions</i>				
66.	<u>BUILDING CODES</u> – At time of issuance of building permits, the building shall comply with Chapter 15 of the Municipal Code and State Title 24 and the U.S. Americans with Disabilities Act.	Prior to issuance of Building Permit	Building Division	



Exhibit A
PLANNING COMMISSION RESOLUTION 23-04 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and Signature)</u>
67.	<u>INSPECTIONS</u> – The applicant shall arrange all inspections with the Building Division, Fire Department, and Public Works Department. All Building Division inspection requests shall be made at least 24 hours in advance.	Prior to issuance of Occupancy Permits	Building Division	
68.	<u>GEOTECHNICAL/SOILS REPORT</u> - A geotechnical/soils report containing all design recommendations of footings, retaining walls and any other information pertinent to the soil condition shall be required and submitted with the permit application. The soils report shall be prepared by a licensed soils engineer or geologist.	Prior to issuance of Permits	Community Development Department / Public Works Department	
69.	<u>SOILS REPORT</u> – A soils report containing all design recommendations of footings, pier holes, retaining walls, and any other information pertinent to the soil condition shall be submitted. The Soils Report shall be prepared by a licensed soils engineer or geologist.	Prior to issuance of Building Permit	Building Division	
70.	<u>DESIGN-LEVEL GEOTECHNICAL INVESTIGATION</u> – The applicant shall submit a design-level geotechnical exploration, which includes performance of a soil boring or other exploration in the southeast corner of the property in order to	Prior to issuance of Permits	Community Development Department /	



Exhibit A
PLANNING COMMISSION RESOLUTION 23-04 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and Signature)</u>
	confirm continuous soil stratigraphy and a lack of evidence indicative of nearby faulting.		Public Works Department	
71.	<u>PLAN CHECK FEES</u> – A plan check fee shall be paid to the Building Division at time of submission of plans pursuant to PMC §15.02.060	Prior to issuance of Building Permit	Building Division	
72.	<u>CONTRACTORS</u> – Contractors must identify all subcontractors prior to issuance of a building permit. Each subcontractor must obtain a city business license prior to issuance of a building permit or commencing work pursuant to PMC §5.04.020.	Prior to issuance of Building Permit	Building Division	
73.	<u>ADDRESSING</u> – Prior to issuance of a “Certificate of Occupancy” or final building inspection approved numbers and addresses shall be installed on all buildings in compliance with Section 15.02.050 of the Municipal Code: <ul style="list-style-type: none"> a. Specific mounting location shall be determined at the time of plan review. b. Address shall be internally or externally lighted during the hours of darkness. 	Prior to issuance of Certificate of Occupancy	Building Division	



Exhibit A
PLANNING COMMISSION RESOLUTION 23-04 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and Signature)</u>
74.	DEBRIS BOX – The Applicant shall ensure that prior to commencing construction a contractor shall place on-site a minimum 10 cubic yard “debris box” for receiving and holding of all construction debris.”	Prior to Construction	Building Division	
75.	CONSTRUCTION NUISANCE PREVENTION – The following provisions shall be followed during all construction activities for the project. a. Prior to any earth hauling operations, the applicant shall submit a Hauling Plan for review and approval by the City Engineer. b. All construction vehicles shall be properly maintained and equipped with exhaust and mufflers that meet state and federal standards. c. Newly disturbed soil surfaces shall be watered down regularly by a water truck maintained on-site during all daylight hours discontinue when winds speed reach 15mph.	Ongoing	Building Division	



Exhibit A
PLANNING COMMISSION RESOLUTION 23-04 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and Signature)</u>
<i>Police Department Conditions</i>				
76.	<u>FIBER OPTICS</u> – A fiber optics pathway shall be installed from the project site to the nearest existing fiber optics connection point to the satisfaction of the Building Official. Specifications for the pathway, fiber, interfacing equipment, and junction boxes are available at the Police Department. The equipment necessary to interface with the fiber optics shall be in place in the alarm control panels (fire, burglar, etc.) upon completion of construction	issuance of the certificate of occupancy	issuance of the certificate of occupancy	
77.	<u>DOORS AND ROOF HATCHES</u> – The following conditions shall be met to the satisfaction of the Building Official prior to issuance of a Certificate of Occupancy. <ul style="list-style-type: none"> a. All exterior doors (including storage and utility room doors) that exit to the outside, to a common hallway or separate units shall be of solid core wood or metal construction. b. All doors described above shall be equipped with the following locking mechanisms: <ul style="list-style-type: none"> Dead Bolt Locks: <ul style="list-style-type: none"> i. A minimum of ¾ inch diameter by 1-inch throw. 	issuance of the certificate of occupancy	issuance of the certificate of occupancy	



Exhibit A
PLANNING COMMISSION RESOLUTION 23-04 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and Signature)</u>
	<ul style="list-style-type: none">ii. High security case hardened bezel around the locking mechanism.iii. Made of case-hardened steel.iv. High security striker plate (4-screw type, screws a minimum of 1½ inches long). <p>c. All double doors shall have a dead bolt lock, as described in b above, in the primary door. The secondary door shall have lock mechanisms that secure the top of the door to the door head and the bottom of the door to the floor. Where the double doors are separated by a mullion both doors shall have dead bolts as described in b, above.</p> <p>d. All entry doors, except those with glass, shall be equipped with a door viewer that has the capabilities of viewing a minimum of 180 degrees.</p> <p>e. Fire blocks shall be placed at a minimum of two (2) studs' spaces on each side of an exterior door, where locks are required, at the same height as the locks. The design and materials used shall aide in preventing the</p>			



Exhibit A
PLANNING COMMISSION RESOLUTION 23-04 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and Signature)</u>
	doorjamb from spreading when a pry tool is used to separate the door from the doorjamb at the lock. f. All roof hatches (access to roof) shall be securely locked from the inside. Dead bolt or similar locking mechanism is recommended.			
78.	<u>WINDOWS AND SLIDING GLASS DOORS</u> – All windows that are accessible from the ground, balconies, walkways, trees, fences, and roof shall be equipped with an auxiliary locking mechanism in addition to the standard manufacturer’s lock.	Prior to Certificate of Occupancy Permit	Police Department	
79.	<u>ALARM SYSTEM (INDUSTRIAL)</u> – Each individual building shall be equipped with a burglar alarm system, installed by state licensed contractor. The system shall include: <ol style="list-style-type: none"> 1. Full perimeter coverage to include all doors requiring locks, windows, skylights, and roof hatches. 2. Interior backup protection such as motion detectors, contracts on key interior doors and glass breakage detection. 3. Battery backup power system with charging system. System shall be hardwired. 	Prior to Certificate of Occupancy Permit	Police Department	



Exhibit A
PLANNING COMMISSION RESOLUTION 23-04 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and Signature)</u>
80.	<u>LANDSCAPING</u> <ul style="list-style-type: none">a. All landscaping shall be of a variety and type that upon reaching maturity will not provide concealment for a human being and will not grow to cover windows, doors, light fixtures, or addresses.b. Bushes/dense vegetation trimmed to 2' or less.c. Trim tree canopies to 6' or higherd. All trees shall be planted a sufficient distance from the buildings so that upon reaching maturity they will not provide roof access.	Prior to Certificate of Occupancy	Police Department	
81.	<u>PUBLIC AREA LIGHTING</u> <ul style="list-style-type: none">a. All exterior doorways, stairwells, pathways, walkways, hallways, and courtyards for commercial and industrial buildings shall be lighted to a minimum of 2-foot candles, minimum maintained, measured at 5 feet above ground.b. Parking areas for commercial and industrial buildings shall be lighted to a standard of 2-foot candles, minimum measured at ground level where beams overlap.c. Except as otherwise noted, all security light fixtures shall be mounted a minimum of 10 feet above ground.	Prior to Certificate of Occupancy	Police Department	



Exhibit A
PLANNING COMMISSION RESOLUTION 23-04 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and Signature)</u>
	<ul style="list-style-type: none"> d. All required lighting shall be equipped with a photoelectric cell or equivalent technology to turn it on at sunset and off at daybreak. e. All areas where video camera surveillance is required shall meet the standards for the camera selected and approved by the Police Department. f. Separate photometric plans shall be submitted for review in conjunction with proposed phased development submittal to ensure adequate lighting is provided for each of the proposed buildings and for the overall project site. g. Lighting shall be on a timer for evening hours. h. Update all lighting to LEDs and following the current foot candle requirement as part of the overall project. 			
82.	<u>RADIO RECEPTION</u> - Prior to occupancy, the owner shall contact the Police Department to provide Police with the opportunity to test radio reception in the buildings to identify any reception issue.	Prior to Certificate of Occupancy	Police Department	



Exhibit A
PLANNING COMMISSION RESOLUTION 23-04 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and Signature)</u>
83.	EXTERNAL VIDEO SURVEILLANCE – Video surveillance cameras shall be required, including all outdoor common areas. Management and employees shall be required to know how to operate the system and playback of files shall be compatible with Windows Media Player. Placement of the video surveillance cameras shall be established by the Police Department after review of the plans and intended use of the project. Cameras shall be capable of being monitored from the Police Department upon completion of project.	Prior to Certificate of Occupancy	Police Department	
<i>Fire Department Conditions of Approval</i>				
84.	FIRE CODE CONFORMANCE – Compliance with the 2019 CFC (California Fire Code), 2019 CBC, (California Building Code) the 20149 NFPA 13 Standards, the NFPA 72 standards, and all local ordinances as they apply to the occupancy and	Prior to issuance of Building Permit	Fire Department	



Exhibit A
PLANNING COMMISSION RESOLUTION 23-04 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and Signature)</u>
	<p>use of the proposed structure and shall be enforced for the scope of work and occupancies of the project redevelopment plan.</p> <p>Compliance with all other NFPA standards is required where applicable and to the satisfaction of the Fire Marshall and/or Fire Chief.</p>			
85.	<u>CONSTRUCTION PLANS FOR FIRE PREVENTION</u> – Prior to issuance of a building permit, building construction plans and plans for fire extinguishing system shall be submitted for Fire Code plan check.	Prior to issuance of Building Permit	Fire Department	
86.	<u>TURNING RADIUS</u> – Fire apparatus turning radius shall be in compliance with the Contra Costa County Standard to accommodate the largest fire truck apparatus.	Prior to issuance of Building Permit	Fire Department	
87.	<u>FIRE EXTINGUISHING SYSTEM</u> - An automatic fire extinguishing/ sprinkler system is required to be installed	Prior to issuance of Building Permit	Fire Department	
88.	<u>FIRE ACCESS</u> – Prior to issuance of a building permit, paved fire apparatus roads shall be installed for every building or stockpile of combustible materials located more than 150 feet from fire department vehicle access. Said access roads are	Prior to issuance of Building Permit	Fire Department	



Exhibit A
PLANNING COMMISSION RESOLUTION 23-04 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and Signature)</u>
	to be posted “No Parking Fire Lane” and shall not be used for storage of materials. Fire apparatus turning radius shall be in compliance with the Contra Costa County Standard to accommodate the largest fire truck apparatus			
89.	<u>ADDRESS</u> – Addresses shall be a minimum of 6” on a contrasting background visible from the street pre/post construction. Exterior elevated corners of structures shall have 12” numbers.	Prior to Building Permit Final	Fire Department	
90.	<u>KEY VAULT</u> – In order to facilitate emergency access to the structure, a key vault shall be installed as approved by the Fire Department.	Prior to Building Permit Final	Fire Department	
91.	<u>WATER SUPPLY SYSTEM</u> – Prior to issuance of a building permit there shall be an approved and tested water supply system capable of supplying the required fire flow as determined by the Fire Chief or Fire Marshall. Water supply system for staged construction shall provide required fire flows.	Prior to issuance of Building Permit	Fire Department	
92.	<u>FIRE PREVENTION FEES AND INSPECTION</u> – Prior to issuance of a Certificate of Occupancy or final building inspection, the applicant shall pay all applicable fees in accordance with the City’s Master Fee Schedule and obtain an inspection from	Prior to issuance of Building Permit	Fire Department	



Exhibit A
PLANNING COMMISSION RESOLUTION 23-04 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and Signature)</u>
	the Fire Department. All meetings and inspections shall require a 48-hour advanced notice.			
93.	<u>FIRE TRAINING</u> – The applicant shall meet with the Fire Department for the purposes of utilizing existing structures for Fire Training exercises prior to issuance of a demolition permit.	Prior to issuance of Building Permit	Fire Department	
<i>Environmental Conditions</i>				
94.	EVN-COA AES-1: The applicant shall ensure, and the City shall verify that the final lighting plan incorporates applicable requirements set forth in Chapter 17.46 of the Pinole Municipal Code and General Plan Action CC.2.3.4, including that all outdoor lighting fixtures be designed, shielded, aimed, located, and maintained to shield adjacent properties and to not provide glare onto adjacent properties or roadways	Prior to issuance of Building Permit	Community Development Department	
95.	EVN-COA AQ-1: During construction activities including demolition and ground disturbance activities, on and offsite, the contractor shall implement the latest BAAQMD recommended Best Management Practices (BMPs) to control for fugitive dust and exhaust as follows:	Prior to issuance of Building Permit	Community Development Department	



Exhibit A
PLANNING COMMISSION RESOLUTION 23-04 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and Signature)</u>
	<ol style="list-style-type: none">1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.2. All haul trucks transporting soil, sand, or other loose material shall be covered.3. All visible mud and 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.4. All vehicle speeds on unpaved roads shall be limited to 15 mph.5. All roadways, driveways, and sidewalks to be paved shall be completed as soon as practicable. Building pads shall be laid as soon as practicable after grading unless seeding or soil binders are used.6. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to			



Exhibit A
PLANNING COMMISSION RESOLUTION 23-04 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and Signature)</u>
	<p>5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.</p> <p>7. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper working condition prior to operation.</p> <p>8. A publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints shall be posted on the project site prior to the initiation of construction activities. 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.</p>			



Exhibit A
PLANNING COMMISSION RESOLUTION 23-04 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and Signature)</u>
96.	<p>ENV-COA AQ-2: During construction activities, contractors shall use construction equipment that has low diesel particulate matter exhaust to minimize emissions and limit use of diesel-powered equipment. The project shall implement a feasible plan to reduce diesel-powered machinery (DPM) emissions by no less than 70 percent through one or both of the following:</p> <ol style="list-style-type: none">1. All construction equipment larger than 25 horsepower used at the site for more than two continuous days or 20 hours total shall meet U.S. EPA Tier 4 emission standards for particulate matter (PM₁₀ and PM_{2.5}), if feasible. If use of Tier 4 equipment is not available, alternatively use equipment that meets U.S. EPA emission standards for Tier 2 or 3 engines and include particulate matter emissions control equivalent to CARB Level 3 verifiable diesel emission control devices that altogether achieve a 70 percent reduction in particulate matter exhaust in comparison to uncontrolled equipment; alternatively (or in combination).2. Develop a Construction Operations Plan demonstrating that the construction equipment used on-site would achieve a	Prior to issuance of Building Permit.	Community Development Department	



Exhibit A
PLANNING COMMISSION RESOLUTION 23-04 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and Signature)</u>
	<p>reduction in construction diesel particulate matter emissions by 70 percent or greater. Such a plan shall be subject to review by an air quality expert and approved by the City prior to commencement of ground-disturbing activities. Elements of the plan could include a combination of some or all of the following measures:</p> <ul style="list-style-type: none">• Use equipment that meets EPA Tier 4 standards or alternatively fueled equipment.• Install of electric power lines during early construction phases to avoid use of diesel generators and compressors.• Use electrically powered equipment.• Use forklifts and aerial lifts for exterior and interior building construction that are electric or propane/natural gas powered.• Change construction build-out plans to lengthen phases.			



Exhibit A
PLANNING COMMISSION RESOLUTION 23-04 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and Signature)</u>
	<ul style="list-style-type: none"> Implement building techniques that result in the use of less diesel-powered equipment. 			
97.	<p>ENV-COA BIO-1: To avoid and minimize potential impacts to nesting birds including passerines and raptors, the following measures shall be implemented:</p> <ol style="list-style-type: none"> Avoid Nesting Season. Grading or removal of potentially occupied habitat should be conducted outside the nesting season, which occurs between February 1 and August 31. Survey for Nests. If grading between August 31 and February 1 is infeasible and groundbreaking must occur within the nesting season, a pre-construction nesting bird survey of the potentially occupied habitat onsite (trees, shrubs, grassland) and within 200 feet of the project site (i.e., within a zone of influence of the project site) shall be performed by a qualified biologist within 15 days of groundbreaking. The zone of influence includes those areas outside the project site where nesting birds could be disturbed by earth- moving vibrations and/or other 	Prior to issuance of Grading Permit	Public Works Department	



Exhibit A
PLANNING COMMISSION RESOLUTION 23-04 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and Signature)</u>
	<p>construction-related noise. If no nesting birds are observed no further action is required and grading shall occur within one week of the survey to prevent “take” of individual birds that could begin nesting after the survey.</p> <p>3. Establish Buffer Zones. If active bird nests (either passerine and/or raptor) are observed during the pre-construction survey, a disturbance-free buffer zone shall be established around the occupied habitat.</p> <p>a. The radius of the required buffer zone can vary depending on the species, (i.e., 50-300 feet for passerines and 200-500 feet for raptors), with the dimensions of any required buffer zones to be determined by a qualified ornithologist or biologist in consultation with CDFW.</p> <p>b. To delineate the buffer zone around the occupied habitat, orange construction fencing shall be placed at the specified radius from the nest within which no machinery or workers shall intrude.</p>			



Exhibit A
PLANNING COMMISSION RESOLUTION 23-04 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and Signature)</u>
	<ul style="list-style-type: none"> c. Biological monitoring of active nests shall be conducted by a qualified biologist to ensure that nests are not disturbed and that buffers are appropriate adjusted by a qualified biologist as needed to avoid disturbance. d. No construction or earth-moving activity shall occur within any established nest protection buffer prior to September 1 unless it is determined by a qualified ornithologist/biologist that the young have fledged (that is, left the nest) and have attained sufficient flight skills to avoid project construction zones, or that the nesting cycle is otherwise completed. 			
98.	ENV-COA BIO-2: During project construction, measures to exclude construction workers and vehicles from entering or disturbing the protected grove to the southeast and the riparian woodland to the east of the project site will be installed and shall include but will not be limited to temporary orange construction fencing, silt fencing, fiber logs, and signage. Following completion of construction activities all temporary fencing shall be removed. Trees on the	During Construction	Community Development Department	



Exhibit A
PLANNING COMMISSION RESOLUTION 23-04 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and Signature)</u>
	site or on the periphery of the site will be protected by exclusion fencing placed at the dripline.			
99.	<p>ENV-COA CUL-1: To ensure the project does not result in impacts to buried archaeological resources onsite, if present, the following shall be implemented:</p> <p>1. Training. Prior to commencement of ground-disturbing activities, a Secretary of Interior qualified archaeologist shall conduct a preconstruction Cultural Resource Awareness training for construction personnel. The training shall familiarize individuals with the potential to encounter prehistoric artifacts or historic-era archaeological deposits, the types of archaeological material that could be encountered within the project area, and procedures to follow in the event of a discovery. A representative from the Indian Canyon Mutsun Band of Costanoan shall be invited to participate in the training.</p>	Prior to issuance of Grading Permit	Public Works Department	



Exhibit A
PLANNING COMMISSION RESOLUTION 23-04 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and Signature)</u>
	<p>2. Post-review Discoveries. In the event that cultural resources are exposed during construction, all earth work occurring within 50 feet of the find shall be immediately stopped until a Secretary of Interior-qualified Archaeologist inspects the material(s), assess historical significance, and consults with Tribes and other stakeholders as needed. Recommendations for the treatment of the discovery from the Archaeologist will be provided to the City, Tribes, and other stakeholders.</p> <p>3. Archaeological Monitoring. If cultural resources are exposed during ground-disturbing activities, a Secretary of the Interior-qualified archeologist shall be onsite to monitor ongoing ground-disturbing activities. The monitor shall have the authority to temporarily halt work to inspect areas as needed for potential cultural materials or deposits. Daily monitoring logs shall be completed by the monitor and submitted to the City within 60 days following completion of construction work. The report shall include the results of</p>			



Exhibit A
PLANNING COMMISSION RESOLUTION 23-04 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and Signature)</u>
	the monitoring program (even if negative), a summary of any findings or evaluation/data recovery efforts, and supporting documentation (e.g., daily monitoring logs).			
100	ENV-COA CUL-2: In the event that human remains are encountered within the project area during project-related, ground-disturbing activities, all work must stop within 100 feet of the discovery area, the area shall be secured to prevent further disturbance, and the County Coroner shall be immediately notified of the discovery. If the County Coroner determines that remains are, or are believed to be Native American, then the Native American Heritage Commission must be contacted by the Coroner so that a “Most Likely Descendant” (MLD) can be designated to provide further recommendations regarding treatment of the remains. A Secretary of Interior-qualified Archaeologist should also evaluate the historical significance of the discovery, the potential for additional human remains to be present, and to provide further recommendations for treatment of the resource in accordance with the MLD recommendations. Federal regulations require that Native American human remains, funerary objects, and object of cultural patrimony are handed	Prior to issuance of Grading Permit	Public Works Department	



Exhibit A
PLANNING COMMISSION RESOLUTION 23-04 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and Signature)</u>
	consistent with the requirement of the Native American Graves Protection and Repatriation Act			
101	<p>ENV-COA GEO-1: The applicant shall incorporate the recommendations of the Geotechnical Exploration Report prepared by KC Engineering (October 4, 2016) into construction drawings. Prior to issuance of a grading permit, the City shall review and accept the Geotechnical Report and verify that the Report provides adequate information for construction detail including detailed drainage, earthwork, foundation, and pavement recommendations. Final grading plan, construction plans, and building plans shall demonstrate that recommendations set forth in the geotechnical reports and/or to the satisfaction of the City Engineer/Chief Building Official have been incorporated into the design of the project.</p> <p>Nothing in this condition of approval shall preclude the City Engineer and/or Chief Building Official from requiring additional information to determine compliance with applicable standards. The geotechnical engineer shall inspect the construction work and shall certify to the City, prior to issuance of a certificate of</p>	During Construction	Community Development Department	



Exhibit A
PLANNING COMMISSION RESOLUTION 23-04 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and Signature)</u>
	occupancy that the improvements have been constructed in accordance with the geotechnical specifications.			
102	ENV-COA GEO-2: Prior to issuance of a grading permit, an erosion control plan along with grading and drainage plans shall be submitted to the City Engineer for review. The project shall comply with stormwater management requirements and guidelines established by Contra Costa County under the Contra Costa Clean Water Program Stormwater C.3 Guidebook and incorporate Contra Costa County best management practices for erosion and sediment control for construction. All earthwork, grading, trenching, backfilling, and compaction operations shall be conducted in accordance with the City's Erosion Control requirements, Chapter 15.36.190 of the Municipal Code. Plans shall detail erosion control measures such as site watering, sediment capture, equipment staging and laydown pad, and other erosion control measures to be implemented during all construction activity and include all recommendations made in the Geotechnical Exploration Report to protect slopes from erosion.	Prior to issuance of a grading permit	Community Development Department	
103	ENV-COA GEO-3: Should any potentially unique paleontological resources (fossils) be encountered during development activities; work shall be suspended	Prior to issuance of Demolition,	Community Development	



Exhibit A
PLANNING COMMISSION RESOLUTION 23-04 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and Signature)</u>
	within 50 feet of the discovery and the City of Pinole Planning Division of the Community Development Department shall be immediately notified. At that time, the City will coordinate any necessary investigation of the discovery with a qualified paleontologist. The project proponent shall be required to implement any mitigation necessary for the protection of paleontological resources. The City and the project applicant shall consider the mitigation recommendations of the qualified paleontologist for any unanticipated discoveries. The City and the project applicant shall consult and agree upon implementation of a measure or measures that the City and project applicant deem feasible and appropriate. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures.	Grading, and Building Permits	Department/ Public Works Department	
104	ENV-COA GHG-1: The project shall comply with CALGreen Tier 2 EV parking requirements by incorporating the appropriate number of EV and EV capable parking spaces for the project size and type (e.g., for 147 parking stalls, there would need to be 19 stalls equipped with EVSE and 57 pre-plumbed with conduit for future installation of EVSE). As a warehouse project with more than 3 off-street loading spaces, the project shall install 400 KVA of additional raceway	Prior to issuance of Building Permit	Public Works Department	



Exhibit A
PLANNING COMMISSION RESOLUTION 23-04 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and Signature)</u>
	conduit and electrical panel capacity to accommodate the future charging of medium- and heavy-duty zero emissions vehicles as required by Section 5.106.5.4.1 of the CALGreen Building Standards Code.			
105	ENV-COA HAZ-1: The Soil Management Plan (SMP) approved by the RWQCB in 2002 shall be implemented during the project construction. The SMP shall be the subject of construction worker trainings for all personnel involved in ground-disturbing activities. A condensed version of SMP protocols shall be posted publicly and prominently at construction site gathering places and entry points.	Prior to issuance of Grading Permit	Public Works Department	
106	ENV-COA HYD-1: Prior to issuance of a grading permit, the applicant shall prepare a design-level Stormwater Management Plan that incorporates stormwater management requirements and best management practices, per Pinole Municipal Code Chapter 8.20 and Contra Costa County Clean Water Program requirements, including the Contra Costa Clean Water Program Stormwater C.3 Guidebook and demonstrates that the storm drain system has adequate capacity to serve the project. The Stormwater Management Plan shall be reviewed and accepted by the City Engineer.	During Construction	Community Development Department	



Exhibit A
PLANNING COMMISSION RESOLUTION 23-04 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and Signature)</u>
107	<p>ENV-COA HYD-2: Prior to issuance of a grading permit, the applicant shall file a Notice of Intent with the RWQCB and demonstrate compliance with the Statewide General Permit for Construction Activities.</p> <p>In accordance with the National Pollution Discharge Elimination System (NPDES) regulations, the applicant shall prepare and implement a project-specific Stormwater Pollution Prevention Plan, including an erosion control plan, for grading and construction activities. The SWPPP shall address erosion and sediment control during all phases of construction, storage, and use of fuels, and use and clean-up of fuels and hazardous materials. The SWPPP shall designate locations where fueling, cleaning and maintenance of equipment can occur and shall ensure that protections are in place to preclude materials from entering into storm drains or the offsite drainage to the east. The contractor shall maintain materials onsite during construction for containments and clean-up of any spills. The applicant shall provide approval documentation from the RWQCB to the City verifying compliance with NPDES.</p>	Ongoing	Community Development Department	
108	<p>ENV-COA NOI-1: Construction activities including delivery and hauling shall comply with construction hours as provided under Pinole Municipal Code</p>	Prior to issuance of Building Permit	Community Development Department	



Exhibit A
PLANNING COMMISSION RESOLUTION 23-04 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and Signature)</u>
	<p>Section 15.02.070 and in accordance with construction best management practices for minimizing noise including:</p> <ol style="list-style-type: none">1. Construction shall be limited to the hours of 7:00 a.m. to 5:00 p.m. Monday through Friday, excluding holidays. Saturday work is allowed in commercial zones only, from 9:00 a.m. to 6:00 p.m., as long as it is interior work and does not generate significant noise. Any work outside of these hours by the construction contractors should require a special permit from the City Manager. There should be compelling reasons for permitting construction outside of these designated hours.2. The construction contractor shall locate stationary noise sources as far from existing sensitive receptors as possible. If stationary sources must be located near existing sensitive receptors, they shall be muffled and enclosed within temporary sheds or other structures.3. At a minimum, the construction contractor shall implement the following control measures: improved mufflers, equipment redesign, use of intake silencers, ducts, engine			



Exhibit A
PLANNING COMMISSION RESOLUTION 23-04 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and Signature)</u>
	<p>enclosures, and acoustically attenuating shields or shrouds. Noise controls can reduce noise levels at 50 feet by 1 to 16 dBA, depending on the type of equipment.</p> <p>4. Equipment used for project construction shall be hydraulically or electrically powered impact tools (e.g., jack hammers) wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. Where use of pneumatically powered tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used. A muffler could lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves shall be used where feasible; this could achieve a reduction of 5 dBA. Quieter procedures shall be used (such as drilling rather than impact equipment) wherever feasible.</p> <p>5. The unnecessary idling of internal combustion engines shall be prohibited.</p> <p>6. All construction trucks and vehicles shall access the site via San Pablo Avenue.</p>			



Exhibit A
PLANNING COMMISSION RESOLUTION 23-04 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and Signature)</u>
	<p>7. All staging of construction equipment, trucks, and vehicles shall be limited to the southern and western portions of the project site, as far away from residential development to the east as possible.</p> <p>8. Prior to the commencement of any construction activities, the construction contractor shall notify, via mail, all residences within a 300-foot radius of the project site of the project's approximate construction schedule, including the approximate duration of demolition, clearing, grading, excavation, paving, and building construction, et al. In addition, at least 24 hours prior to grading activities, the construction contractor shall post signage in appropriate locations within a 300-foot radius of the project site. The signage shall include a phone number to the City Public Works Department for residents to call with noise complaints. If the City Public Works Department receives more than three complaint calls regarding construction noise, the City reserves the discretion to require the project applicant to conduct an acoustical noise analysis to</p>			



Exhibit A
PLANNING COMMISSION RESOLUTION 23-04 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and Signature)</u>
	determine more appropriate measures to reduce noise levels due to construction activities.			
109	ENV-COA NOI-2: Mechanical equipment shall be selected and designed to meet City requirements at the nearby noise-sensitive land uses. Prior to issuance of occupancy, a qualified acoustical consultant shall be retained to review mechanical noise of selected mechanical equipment systems to determine specific noise reduction measures necessary to comply with the City's noise level requirements (nighttime hourly L_{eq} at or below 45 dBA). Noise reduction measures could include, but are not limited to, selection of equipment that emits low noise levels and installation of noise barriers, such as enclosures or walls, to block the line-of-sight between the noise source and the nearest receptors or locating equipment in less noise-sensitive areas (greatest distance from eastern property line).	Ongoing	Community Development Department	
110	ENV-COA NOI-3: Prior to issuance of occupancy, a qualified acoustical consultant shall be retained to review truck noise of building tenant operations and verify that one or more of the following attenuation measures have been incorporated into the project and achieve a daytime noise level of 55 L_{eq} or below	Prior to Occupancy Permits	Community Development Department	



Exhibit A
PLANNING COMMISSION RESOLUTION 23-04 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and Signature)</u>
	<p>and a nighttime noise level of 45 L_{eq} or below at the property line nearest to the residential land uses to the east.</p> <ol style="list-style-type: none">1. Redesign Building 1 so the building envelope would provide shielding for the eastern residences from the loading docks, similar to the design of Building 2. Such a redesign might relocate the loading area of Building 1 to the southwestern corner of the building to increase the distance and attenuation from the truck loading bays and the residential receptors to the east.2. Implement a no-idling policy that requires engines to be turned off after 5 minutes and post signage visible from trucks in the loading dock to notify drivers of this policy.3. Ensure the truck docks are recessed into the ground.4. Equip loading bay doors with rubberized gasket type seals to allow least possible loading noise to escape.			



Exhibit A
PLANNING COMMISSION RESOLUTION 23-04 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and Signature)</u>
	5. Construct a noise barrier along the eastern boundary of the project site as in Figure 2 of Appendix G. The noise barrier shall be continuous from grade to top, with no cracks or gaps, and have a minimum surface density of three pounds per square foot (e.g., one-inch-thick marine-grade plywood, half-inch laminated glass, or concrete masonry units (CMU)). The minimum height of the barrier shall be 10 feet tall to break the line-of-sight to the noise source.			
111	ENV-COA TRAN-1: Prior to the issuance of the certificate of occupancy, the applicant shall provide the project's fair share contribution as established by the City towards multi-modal improvements in the project vicinity as identified in the Three Corridors Specific Plan by installing a bus shelter at bus stop 25028 on San Pablo Avenue.	Prior to Occupancy Permits	Community Development Department	
112	ENV-COA TRAN-2: Prior to issuance of the certificate of occupancy, a final Transportation Demand Management Plan shall be provided to the Community Development Department for review and approval. The TDM Plan shall include example materials that will be used to educate tenants and employees about the programs and require that a tenant management position assume the role of	Prior to Occupancy Permits	Community Development Department	



Exhibit A
PLANNING COMMISSION RESOLUTION 23-04 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and Signature)</u>
	Transportation Coordinator and detail the program implementation schedule which shall commence with occupation of the building.			
113	ENV-COA TRAN-3: To maintain adequate sight lines at the project driveways, pursuant to Pinole Municipal Code Section 17.98.020, signage, trees, and other landscaping features within the clear vision triangle at driveway and street intersections shall be maintained such that visibility is maintained between thirty (30) inches and seven (7) feet. The applicant shall be responsible for maintaining adequate sight lines from the project driveways and vegetation shall be trimmed to about one foot in height on the west sides of the driveways.	During Construction	Community Development Department	
114	ENV-COA TRAN-4: Recommendations of the project specific Transportation Impact Analysis shall be implemented as follows or as otherwise reviewed and accepted by the City Engineer: 1. Prior to issuance of occupancy, the project driveway and the Meadow Avenue approaches at the San Pablo Avenue/Meadow Avenue/Project Driveway intersection shall be restricted to right-turns only by prohibiting left-turns and through movements via signage and striping. The	Prior to issuance of building permit	Public Works Department	



Exhibit A
PLANNING COMMISSION RESOLUTION 23-04 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and Signature)</u>
	<p>Project Driveway approach at the intersection shall also be narrowed from two lanes to one lane.</p> <p>2. Prior to issuance of occupancy, the eastbound left turn pocket on San Pablo Avenue shall be lengthened from 60 to 130 feet, increasing the queue storage for large trucks (e.g., WB-40 and WB-67).</p> <p>3. Prior to issuance of occupancy, the existing crosswalk across the project driveway shall be relocated closer to the intersection to align with the existing sidewalk along the north side of San Pablo Avenue, which would provide additional queue storage for vehicles exiting the project site and improve pedestrian circulation along the project frontage. The existing striping shall be adjusted to improve queue storage for vehicles exiting the project site.</p>			



Exhibit A
PLANNING COMMISSION RESOLUTION 23-04 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and Signature)</u>
	<p>4. Prior to issuance of occupancy, a new stop sign with pavement markings shall be installed at the private parking lot intersection immediately north of the intersection with San Pablo Avenue, which would minimize queuing within the project site, maintain access to the drive aisle just north of the project driveway, and minimize the inbound project queues spilling back onto San Pablo Avenue.</p> <p>5. Within one year after the full occupancy of the project, a traffic signal at the San Pablo Avenue/Meadow Avenue/Project Driveway intersection shall be installed to the satisfaction of the City Engineer, unless a signal warrant study has been completed for the intersection demonstrating that signalization is not warranted. If a signal is installed at the intersection, the right-turn only restrictions at the Project Driveway and the Meadow Avenue approaches of the intersection shall be removed</p>			



Exhibit A
PLANNING COMMISSION RESOLUTION 23-04 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and Signature)</u>
	and the Project Driveway approach at the intersection shall be widened to two lanes.			
115	COA TCUL-1: To protect buried Tribal Cultural Resources that may be encountered during construction activities, the project shall implement environmental COA CUL-1 and COA CUL-2.	Prior to Certificate of Occupancy	Community Development Department	
116	ENV-COA TCUL-2: To protect buried Tribal Cultural Resources that may be encountered during grading and excavation activities, a tribal cultural monitor from the Confederated Villages of Lisjan shall be invited to be present during excavation that is anticipated to penetrate native soils, particularly in the area of the northeastern connection to the municipal storm drain.	Prior to issuance of Building Permit	Community Development Department	
117	ENV-COA UTIL-1: Pursuant to Action GM 2.2.1 Service Standards, prior to issuance of a building permit, the applicant shall secure verification from EBMUD that adequate water supplies are available to serve the project and prior to issuance of occupancy the applicant shall demonstrate that all EBMUD water efficiency requirements have been fulfilled.	Ongoing	Community Development Department	



Exhibit A
PLANNING COMMISSION RESOLUTION 23-04 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and Signature)</u>
118	ENV-COA UTIL-2: Pursuant to MM 4.12.6.2, the project shall secure a can and will serve letter demonstrating that there is sufficient sewer/water treatment and conveyance capacity prior to issuance of Certificate of Occupancy. The proposed project shall have a unique connection to the public sewer collection system. The connection to the sewer system will require a permit from the City of Pinole, the payment of sewer user fees, and payment of a sewer connection fee prior to the issuance of building permits.	Ongoing	Community Development Department	
119	ENV-COA UTIL-3: Pursuant to General Plan Action CS.8.1.3 and in accordance with current CALGreen Building Code requirements, a Construction Waste Management Plan shall be prepared and implemented during all stages of construction. The Construction Waste Management Plan shall meet the minimum requirements of the CALGreen code for residential development including but not limited to regional material sourcing (A5.405.1), Bio-based materials (A5.105.2), Reused materials (A5.405.3), and materials with a recycled content (A5.405.4).	Ongoing	Community Development Department	



Exhibit A
PLANNING COMMISSION RESOLUTION 23-04 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and Signature)</u>
120	ENV-COA UTIL-4: In accordance with CALGreen Section 4.410.2 onsite recycling shall be provided in readily accessible areas for the depositing, storage and collection of non-hazardous materials including at a minimum paper, cardboard, glass, plastics, organic waste, and metals.	Ongoing	Community Development Department	
121	ENV-COA UTIL-5: The applicant shall coordinate with Republic Services to appropriately size trash enclosures and ensure that maximum waste stream diversion occurs by providing onsite pre-sorting for recyclables and compostable organic materials.	Ongoing	Community Development Department	
122	The project shall be consistent with the vesting tentative parcel map date-stamped received February 25, 2019, unless otherwise specified in these conditions of approval and shall be consistent with all applicable federal, state & local laws, including the California Subdivision Map Act and pertinent sections of the Pinole Municipal Code.	On-Going	Public Works & Community Development Department	
123	The applicant shall have a Final Parcel Map, prepared by a person authorized to practice land surveying in California, delineating all parcels created or deleted and all changes in lot lines (as per Section 16.12.190 of the Municipal Code). The	Prior to Recordation of a Final Map	Public Works & Community	



Exhibit A
PLANNING COMMISSION RESOLUTION 23-04 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and Signature)</u>
	Final Parcel Map shall be submitted for review and approval by the City Engineer prior to recordation.		Development Department	
124	All easements identified in the Vesting Tentative Parcel Map, including the private reciprocal access and parking agreement and the utility easement, shall be recorded concurrently with the Final Parcel Map.	Prior to Recordation of a Final Map	Public Works & Community Development Department	
125	All easements identified in the Vesting Tentative Parcel Map, including the private reciprocal access and parking agreement and the utility easement, shall be recorded concurrently with the Final Parcel Map.	Prior to Recordation of a Final Map	Public Works & Community Development Department	
126	The final map shall identify all existing utilities and easements affecting each of three established parcels.	Prior to Recordation of a Final Map	Public Works & Community Development Department	
127	Mutual access to utilities between parcels shall be maintained where there are interdependent utility connections, where one parcel requires access to a	On-Going	Public Works & Community	



Exhibit A
PLANNING COMMISSION RESOLUTION 23-04 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and Signature)</u>
	component of the utility on another parcel to maintain operations, and where it is required to preserve the general health, safety, and welfare of the occupants on site.		Development Department	
128	The applicant shall deposit funds with the City to pay for the review and processing of the Final Map. The City Engineer shall determine the amount of the deposit.	Prior to Recordation of a Final Map	Public Works & Community Development Department	

*Note: Conditions of Approval beginning with “ENV” are based on the CEQA document for the project.