

## NORTHEAST RIDGE PROJECT UNIT I AND UNIT II

### 20097 ANNOTATED CONDITIONS OF APPROVAL

	Status Unit I	Status Unit II
<b>A. ENGINEERING</b>		
<b>I. GENERAL</b>		
a) Prior to approval of any Final Map, a Subdivision Improvement Agreement, in a form approved by the City, shall be executed by the applicant.	Completed for Unit I	Continued for Unit II
b) Prior to approval of any Final Map, an engineer's cost estimate for the construction of all public and private improvements shall be submitted to the City Engineer for approval.	Completed for Unit I	Continued for Unit II
c) Prior to recording any Final Map and based on the Engineer's Estimate, adequate security for 100% of the cost of the improvements, in a form acceptable to the City, and approved by the City Attorney, shall be supplied to ensure satisfactory and timely completion of the improvements shown on the improvement plans as specified in the Subdivision Improvement Agreement.	Completed for Unit I	Continued for Unit II
d) Prior to the approval of any Final Map, plan check and inspection fees shall be paid at the rate in effect on the date of payment, based on the approved Engineer's Estimate for both public and private improvements.	Completed for Unit I	Continued for Unit II
e) The standard conditions of approval of Tentative Maps, set forth in Section 16.16.180 of the City of Brisbane Municipal Code, <i>and the applicable provisions of Chapter 16.42 of the Brisbane Municipal Code pertaining to Vesting Tentative Maps</i> , are incorporated by reference and made a part of these Conditions of Approval, except that the City's Grading Ordinance shall take precedent.	Completed for Unit I	Continued for Unit II, as Amended
f) Prior to the approval of a Phase I or a Phase II Final Map, the applicant shall provide plans for the related phase of improvements, subject to the approval of the City Engineer, so that all streets, street intersections and pedestrian, bicycle or vehicle access to streets shall be provided with safe stopping sight distances, as defined in Chapter 200 of the State of California, Department of Transportation, Highway Design Manual. Landscaping, cut and fill slopes, vehicle parking, monuments, signs, catchment walls and any other potential obstruction shall be designed to avoid limiting safe sight distances, or to such other standard which is to the satisfaction of the City Engineer.	Completed for Unit I	Continued for Unit II
g) Prior to acceptance of the completed work, a 5-foot level	Completed for	Continued for

<p>graded area shall be provided behind catchment walls in the areas as specified in the Debris Flow and Catchment Wall Report prepared by Kaldveer and Associates dated November 7, 1988, <i>as amended by the Stevens, Ferrone &amp; Bailey Updated Geotechnical Investigations Landmark at the Ridge-Unit 2 report dated November 1, 2001 and the Cotton Shires &amp; Associates Geotechnical Review reports dated October 4, 2002 and December 3, 2003</i> and as specified and to the satisfaction of the City Engineer.</p>	<p>Unit I</p>	<p>Unit II, as Amended</p>
<p>h) Prior to the issuance of a Building Permit, a final driveway plan showing all driveways, slopes of both edges of the driveways, the garage finished floor elevations and the cross slope of the adjacent streets, shall be submitted and will be subject to the approval of the City Engineer.</p>	<p>Completed for Unit I</p>	<p>Continued for Unit II</p>
<p>i) Prior to acceptance of the completed work for Phase I or Phase II, all off-site improvements and other improvements directly related to that project phase will be constructed in accordance with City laws, regulations, ordinances and specifications, and shall be constructed and completed in accordance with the Subdivision Improvement Agreement and Final Map and shall be subject to the approval of the City Engineer.</p>	<p>Completed for Unit I</p>	<p>Continued for Unit II</p>
<p>j) Prior to recording any Final Map, the developer shall submit to the City, for approval, a schedule of development of public and private improvements, and the schedule shall be approved by the City Engineer. <del>The schedule shall be consistent with the requirement for phasing of building permits.</del>  <del>This provision shall be added to the Utility Agreement.</del>  <del>The project is expected to be built out over 5 1/2 to 6 years. Issuance of building permits shall be phased. The number of building permits issued in any one project year shall not exceed 20% of the total number of dwelling units to be constructed on the Northeast Ridge. A project year is the 12-month period commencing with the date upon which the first grading permit is issued and each successive 12-month period until homebuilding is completed. Any building permit not issued in a given project year may be added to the allotment for the subsequent project years. However, in no case shall the total number of building permits issued in any project year exceed 25% of the total number of dwelling units to be constructed on the Northeast Ridge.</del></p>	<p>Completed for Unit I</p>	<p>Continued for Unit II, as Amended</p>
<p>k) <del>Prior to approval of any Final Map, plans showing connection of the sewer and water utilities for the Northeast Ridge Project to the Guadalupe Valley Municipal Improvement District (GVMID), the Guadalupe Valley Municipal Improvement District (GVMID) must become a subsidiary district of the City of Brisbane or the applicant must comply with condition I.n. below. GVMID facilities may be used to provide utility services to the Northeast Ridge Project only if GVMID becomes a subsidiary district of the City of Brisbane.</del></p>	<p>Completed for Unit I</p>	<p>Not Applicable for Unit II</p>

<p><del>l) — Prior to issuing a Grading Permit, all approvals shall have been received by the City and GVMID for GVMID to become a subsidiary district of the City and the security required by the Agreement Regarding Utilities, Streets, and HCP Amendment has been posted. If such approvals have not been received, the applicant shall comply with condition I.n. below.</del></p>	<p>Completed for Unit I</p>	<p>Not Applicable for Unit II</p>
<p><del>m) — Prior to approval of any Final Map, GVMID and the City shall have received all necessary approvals, including LAFCO's approval and the San Mateo County Board of Supervisors' approval, for GVMID to become a subsidiary district of the City, such that the Brisbane City Council shall become the Board of Directors of GVMID, or the applicant must comply with condition I.n. below.</del></p>	<p>Completed for Unit I</p>	<p>Not Applicable for Unit II</p>
<p><del>n) — Prior to approval of any Final Map, if GVMID does not become a subsidiary district of the City such that the Brisbane City Council becomes the Board of Directors of GVMID, then the applicant shall submit an alternative utility plan (alternative to the plan which has been submitted and which shows utilities being connected to GVMID) which provides for connection of utilities solely into City facilities, and such plan has been approved by the City.</del></p>	<p>Completed for Unit I</p>	<p>Not Applicable for Unit II</p>
<p><del>o) — Prior to recordation of any Final Map, and if GVMID becomes a subsidiary district of the City (as set forth in Attachment 10 to the Staff Report), the developer shall make the repairs and upgrade the GVMID facilities to current City standards and to serve the Northeast Ridge, or the applicant may post security in the amount of 100% of the construction cost, as set forth in Section 7 of the Agreement Regarding Utilities, Streets and HCP Amendment between the City and Southwest Diversified, Inc.</del></p>	<p>Completed for Unit I Bond released 1-05-2003</p>	<p>Not Applicable for Unit II</p>
<p><del>p) — Prior to recordation of any Final Map, the applicant shall enter into an agreement with GVMID, which is enforceable by GVMID at the time it becomes a subsidiary district of the City, which provides that the developer shall pay for that portion of the removal of GVMID's abandoned sewage treatment plant's sludge and sewage residue which cost is not otherwise paid for by GVMID with the treatment plant, sludge beds and related facilities. If the agreement between the applicant and GVMID is voided for any reason, then prior to recordation of a final subdivision map, the applicant shall execute a new agreement with GVMID or the City to provide the funding in the same manner and to the same extent as the voided agreement.</del></p>	<p>Completed for Unit I</p>	<p>Not Applicable for Unit II</p>
<p><del>q) — Prior to the issuance of any Certificate of Occupancy, GVMID's abandoned sewage treatment plant's sludge and sewage residue, and all hazardous materials at the site of the plant, shall be cleaned up to the satisfaction of each of the governmental agencies having jurisdiction over hazardous materials (such as the California Department of Health Services and the U.S. Environmental</del></p>	<p>Completed for Unit I</p>	<p>Not Applicable for Unit II</p>

<p>Protection Agency), and the plant demolished and removed. Prior to recording any Final Map, the developer shall provide security in an amount sufficient to pay the cost of cleanup, in a form acceptable to the City and approved by the City Attorney, or demonstrate to the satisfaction of the City that these clean up requirements have already been met.</p> <p>— This provision shall be added to the Utility Agreement.</p>		
<p>r) Prior to approval of any Final Map for Phase II, the applicant shall prepare the necessary documents and assist the City of Brisbane in submitting, to the county of San Mateo Local Agency Formation Commission (LAFCO), an application to withdraw the area of the Bayshore Sanitary District that lies within the Northeast Ridge Project. The withdrawal shall be completed prior to the approval of the Phase II Final Map.</p>	Completed for Unit I	Not Applicable for Unit II
<p>s)k) Prior to recording any Final Map, the applicant shall provide easements acceptable to the City Engineer.</p>	Completed for Unit I	Continued for Unit II
<p>t)l) Prior to approval of any Final Map, a schedule of street furniture shall be provided by the applicant. Street furniture shall be durable and as vandal resistant as possible and shall be subject to the approval of the City Engineer and the Parks, Beaches and Recreation Commission.</p>	Completed for Unit I	Continued for Unit II
<p>u)m) Prior to the approval of any Final Map, a cohesive signage program shall be provided in the final landscape and improvement plans and shall be subject to approval of the City Engineer and the City Planning Director. All traffic and parking control signs shall comply with CALTRANS standards.</p>	Completed for Unit I	Continued for Unit II
<p>v) — Prior to the acceptance of the completed work, installation and modifications of all traffic signals shall include the provision of pedestrian activated signals for all pedestrian roadway crossings.</p>	Completed for Unit I	Not Applicable for Unit II
<p>w)n) There shall be no special or decorative pavement on the public streets.</p>	Completed for Unit I	Continued for Unit II
<p>x)o) There shall be no on-street parking on the public collector streets, except as directed or modified by the City Engineer.</p>	Completed for Unit I	Continued for Unit II
<p>y)p) Public collector streets shall be constructed with sufficient room within the pavement area to accommodate bicycle travel.</p>	Completed for Unit I	Continued in Unit II
<p>z)q) Prior to approval of any Final Map, plans shall be submitted which show the design of all cut and fill slopes, slide repairs, catchment walls, benches, debris basins and related items (provisions to protect against off road vehicles) and when constructed shall be, in accordance with the recommendations contained in the Soils Report and Engineering Geology Reports prepared by Kaldveer and Associates dated January 25, 1985, May 10, 1988, July 29, 1988, October 17, 1988 and two reports dated November 17, 1988, as amended by the Updated Geotechnical Investigation Landmark at The Ridge-Unit 2 prepared by Stevens, Ferrone &amp; Bailey dated</p>	Completed for Unit I	Continued in Unit II, as Amended

<p><i>November 1, 2001 and the Supplemental Geotechnical Review prepared by Cotton Shires &amp; Associates dated October 10, 2002 and Geotechnical Review dated December 3, 2003 and letter of June 12, 2007 and in accordance with the City of Brisbane Grading Ordinance, and to the satisfaction of the City Engineer. The applicant shall also comply with the recommendations of Cotton Shires &amp; Associates as set forth in the Supplemental Geotechnical Peer Review dated January 19, 2009.</i></p>		
<p>aa)r) Prior to the issuance of a Grading Permit, the applicant shall prepare, and submit to the City Engineer for review and approval, a construction grading schedule with specific dates for completion of grading milestones by which the progress of the work can be evaluated. The schedule shall be in agreement with Condition A.I.j.</p>	<p>Completed for Unit I</p>	<p>Continued for Unit II</p>
<p>bb)s) Prior to recording a Final Map, the applicant shall, in a form approved by the City, agree to indemnify and protect the City of Brisbane against the results of any work or labor done or materials furnished which are or become defective or are not in accordance with the terms of the documents submitted and the conditions and approvals by the City of Brisbane, which shall have appeared or been discovered within a one-year period from and after completion and final acceptance of the work in question.</p>	<p>Completed for Unit I</p>	<p>Continued for Unit II</p>
<p><del>ee) All work proposed to be done within the Guadalupe Valley Municipal Improvement District (GVMID) shall be done to the same standards and design criteria required for the Northeast Ridge Project unless otherwise provided for or specifically exempted within the Vesting Tentative Map and/or the conditions of approval.</del></p>	<p>Completed for Unit I</p>	<p>Not Applicable for Unit II</p>
<p><del>dd) Prior to the Phase I Final Map approval, the applicant shall obtain approval from the County of San Mateo to construct the proposed 1.0 million gallon water tank with a maximum height of 30 feet and pipelines connecting the water tank to the project. Prior to the Phase II Final Map approval, the applicant shall provide the City with an easement for the water tank, ingress, egress and all utilities appurtenant to the water tank.</del></p>	<p>Completed for Unit I – Easement Granted on 3/18/04.</p>	<p>Not Applicable for Unit II</p>
<p>ee)t) All documents, plans and other submittals to the City of Brisbane shall be delivered to the Director of Planning. Duplicate copies of all documents, plans or other submittals requiring action or approval by the City Engineer shall be submitted to the City Engineer.</p>	<p>Completed for Unit I</p>	<p>Continued for Unit II</p>
<p><del>ff) Prior to approval of any Final Map, in recognition of the capital needs of the City for municipal facilities, the applicant shall contribute \$1.5 million towards the construction of the proposed Municipal Facilities Complex (especially those incorporating fire and police services), in January 1, 1983 dollars, indexed by movements in the Construction Cost Index of the Engineering News Record (ENR) from January 1, 1983.</del></p>	<p>Completed for Unit I</p>	<p>Not Applicable for Unit II</p>
<p>gg)u) Nothing herein shall be interpreted to conflict with rules and</p>	<p>Completed for</p>	<p>Continued for</p>

regulations of the California Department of Real Estate.	Unit I	Unit II
<del>hh)) The project shall have two master phases to conform with the requirements of the Habitat Conservation Plan as indicated on the Vesting Tentative Subdivision Map. Phased final subdivision maps shall be allowed within Master Phase I and Master Phase II. Within Phase I there shall be a maximum of five (5) final subdivision maps. Within Phase II there shall be a maximum of four (4) final subdivision maps. The timing of their filing shall be determined at the time of the First Final Map and shall in no event be more than four filing times within a ten year period.</del>	Completed for Unit I	No Phasing Required for Unit II
ii)v) Prior to issuance of any building permit, the developer shall provide the City Engineer with a written certification from the developer's geotechnical consultant, which states that the consultant has determined from satisfactory evidence that all elements of the project are designed and engineered to preclude potential problems relating to ground slippage and landslides, erosion, and storm drainage.	Completed for Unit I	Continued for Unit II
jj)w) All conditions of approval shall apply to the development of the property and shall be binding on the project sponsor/applicant, its successors and assigns.	Completed for Unit I	Continued for Unit II
<b>II. STREETS</b>		
<del>a) Prior to recording any Final Map, the applicant shall provide a plan for the continuing maintenance of the Crocker Industrial Park streets satisfactory to the City Engineer.</del>	Completed for Unit I	Not Applicable for Unit II
b) a) The maximum grade and minimum radius of curvature of any on-site collector street shall not exceed 15% nor be less than 350 feet respectively except as shown on the approved Vesting Tentative Map and/or specifically approved by the City Engineer. The maximum grade and minimum radius of curvature of any on-site non-collector street shall not exceed 15% nor be less than 150 feet respectively except as shown on the approved Vesting Tentative Map and/or specifically approved by the City Engineer.	Completed for Unit I	Continued for Unit II
e) b) The roadway right of way of the proposed public streets within the Northeast Ridge Project shall be dedicated to and, after acceptance, shall be maintained by the City of Brisbane. <del>The street lighting and landscaping on the proposed public streets shall be maintained by a Lighting and Landscaping District or maintenance assessment district or districts as approved by the City Engineer.</del>	Completed for Unit I	Continued for Unit II, as Amended
d) c) Prior to approval of any Final Map, plans shall be submitted showing the precise size and alignment of all streets, and pedestrian and bicycle facilities, landscaping and appurtenances thereto and shall be to the satisfaction and approval of the City Engineer.	Completed for Unit I	Continued for Unit II
e) d) Prior to approval of any Final Map, plans shall be submitted showing sidewalks designed on the same side of the streets as the residences within the neighborhoods.	Completed for Unit I	Continued for Unit II
f) e) Prior to approval of any Final Map, plans shall be submitted	Completed for	Continued for

<p>showing all sidewalks and paths designed as shown on the Vesting Tentative Map and as specified by the City Engineer to provide safe pedestrian pathways that minimize as much as possible the necessity of pedestrians crossing major streets.</p> <p>Access ramps shall be provided at each location where a painted crosswalk is proposed and any quadrant of any intersection that has a sidewalk.</p>	Unit I	Unit II
<p><del>g) — Prior to approval of any Final Map, plans shall be submitted showing sidewalks designed on the Park Access Road between Street "A" and North Hill Drive and on both sides of Street "A" from Street "C" to the Park Access Road.</del></p>	Completed for Unit I	Not Applicable for Unit II
<p><del>h) — Prior to approval of any Final Map, plans shall be submitted showing the sidewalk on Street "A" from Street "C" to Guadalupe Canyon Parkway designed on the southerly side of the Roadway.</del></p>	Completed for Unit I	Not Applicable for Unit II
<p><del>i) — Prior to approval of any Final Map, plans shall be submitted showing right turn lanes designed on Street "A" and Street "B" at their intersections with Guadalupe Canyon Parkway.</del></p>	Completed for Unit I	Not Applicable for Unit II
<p><del>j) Traffic signal poles and lights shall be of the same type and quality currently in use in the City of Brisbane. Plastic equipment shall not be used. Service and controller cabinets shall be made of aluminum. Street name signs shall be installed on signal mast arms where possible, as specified by the City Engineer.</del></p>	Completed for Unit I	Not Applicable for Unit II
<p><del>k) — Prior to approval of any Final Map, plans shall be submitted showing all the circulation plan recommendations shown on the POD, Inc. map dated March 24, 1989, attached as Exhibit "K", included in the final design and shall be as specified and approved by the City Engineer.</del></p>	Completed for Unit I	Not Applicable for Unit II
<p><del>l) f) Prior to approval of any Final Map, plans shall be submitted showing the intersection of "A" Street and "B" Street as a ninety degree "T" intersection with "B" Street being the through street.</del></p>	Completed for Unit I	Continued for Unit II
<p><del>m) Prior to approval of any Final Map, the applicant shall submit an engineering study of the impacts of rerouting the quarry trucks onto Valley Drive and the improvements required to accommodate this additional truck traffic, to the City Engineer for his approval. The improvements required to accommodate this additional traffic shall be constructed by the applicant with the improvements required in the latest update of the CHEC 1988 Report.</del></p>	Completed for Unit I	Not Applicable for Unit II
<p><del>n) — Prior to completion of the street work at the Carter/Guadalupe Canyon Parkway intersection, the applicant shall install advance "SIGNAL AHEAD" signs and other directional signs in both directions as approved by the City Engineer, in consultation with the County Public Works Director and Daly City Public Works Director.</del></p>	Not Applicable to Unit I	Not Applicable for Unit II
<p><del>o) — Prior to issuance of a building permit for Phase I, applicant shall widen Guadalupe Parkway to four lanes as approved by the City Engineer and County Public Works Director. The City of Brisbane will require any developer of properties in Brisbane that will have</del></p>	Completed for Unit I	Not Applicable for Unit II

significant impacts on Guadalupe Canyon Parkway traffic (as determined by the City Engineer) to enter into a reimbursable agreement to reimburse Southwest Diversified, Incorporated in an amount that represents their share of widening part of Guadalupe Canyon Parkway (for 10 years from the effective approval date of this project). Such pro rata share shall be determined by the City Engineer.		
p) g) Prior to approval of any Final Map for Unit II, a the Subdivision Improvement Agreement for Unit II improvements shall be executed and shall include the following off-site improvements, which shall be completed prior to the issuance of any Certificate of Occupancy or at the option of the City, adequate security satisfactory to the City shall be posted:	Completed for Unit I	Continued for Unit II, as Amended
Phase One:  1. ——— Modify the traffic signals at the intersection of Guadalupe Canyon Parkway and Bayshore Boulevard, install traffic signals at the intersection of North Hill Drive and Guadalupe Canyon Parkway and install traffic signals at the easterly project access road and Guadalupe Canyon Parkway as shown on the Vesting Tentative Map and as specified in the Northeast Ridge Development Canyon Business Center Traffic Impact Analysis, dated October 11, 1988 by LSA Associates, Inc.	Completed for Unit I	Not Applicable for Unit II
2. ——— Widen Guadalupe Canyon Parkway to four lanes.	Completed for Unit I	Not Applicable for Unit II
3. ——— Prior to approval of any Final Map, acquire necessary rights-of-way and construct the Old County Road/Valley Drive pedestrian link as shown on sheet G5-A, attached as Exhibit "L".	Completed for Unit I	Not Applicable for Unit II
4. ——— Repair and improve Crocker Industrial Park streets as shown on the Vesting Tentative Map, as recommended in the Deflection Testing/Analysis, Crocker Industrial Park for the City of Brisbane (latest update of the CHEC 1988 Report), and as determined and approved by the City Engineer in Item H.m. above. Also, remove and replace curb and gutter along Crocker Industrial Park streets as required by the City Engineer to correct ponding problems.	Completed for Unit I	Not Applicable for Unit II
5. ——— Install Railroad Crossing protection as required by the P.U.C. for public streets in the Crocker Industrial Park as shown on the Vesting Tentative Map.	Not Required for Unit I	Not Applicable for Unit II
6. ——— Interconnect the traffic signals on Guadalupe Canyon Parkway at Bayshore, North Hill and the project's east access road.	Completed for Unit I	Not Applicable for Unit II
7. ——— Interconnection of the traffic signals at Guadalupe Canyon Parkway and Carter Street, if determined necessary by the City Engineer of the City of Brisbane.	Not Applicable for Unit I	Not Applicable for Unit II
8. ——— Acquire and construct the Vehicular/ Pedestrian Link Improvements at South Hill Drive and the quarry road as shown on the Vesting Tentative Map. Construction of the Quarry Road and	Completed for Unit I	Not Applicable for Unit II



intersection improvements shall comply with substantive and procedural requirements of the Habitat Conservation Plan.		
<del>9. The developer will pay all costs to modify South Hill Drive and Quarry Road as shown on the Vesting Tentative Map. If the quarry is developed within ten years after the filing of any Final Map for the Northeast Ridge Project, the City of Brisbane will require any developer of the quarry site to enter into a reimbursable agreement, to reimburse Southwest Diversified in an amount that represents the quarry site's pro rata share of the cost of the modification of South Hill Drive and Quarry Road. Such pro rata share shall be determined by the City Engineer at the time of development of the quarry site.</del>	Completed for Unit I	Not Applicable for Unit II
<del>10. Install all Phase I offsite trail improvements as shown in the Vesting Tentative Map. Trail improvements shall be maintained by the applicant until the County assumes the responsibility for maintenance.</del>	Completed for Unit I	Not Applicable for Unit II
<del>11. The park/school site shall be graded and the Recreation Center and other facilities shall be constructed as shown on the Vesting Tentative Map except as may be modified through Condition E.16.</del>	Completed for Unit I	Not Applicable for Unit II
<del>12. Construct an eastbound left turn pocket and extend the existing westbound turn pocket at North Hill/Guadalupe intersection (shown on VTM 13/16).</del>	Completed for Unit I	Not Applicable for Unit II
<del>13. Widen and restripe the approach of Valley Drive at Bayshore Boulevard to provide two eastbound Valley Drive left hand turn lanes to northbound Bayshore Boulevard (shown on VTM 13/16).</del>	Completed for Unit I	Not Applicable for Unit II
<del>Phase Two: The improvements set forth below shall be completed prior to the issuance of any Certificate of Occupancy or at the option of the City, adequate security satisfactory to the City shall be posted.</del>	Completed for Unit I	Continued for Unit II, as Amended
<del>1. Install traffic signals at the intersection of North Hill and Valley Drives, modify the traffic signals at the intersection of Guadalupe Canyon Parkway and Carter Street to provide the south leg of the intersection and restripe and reconstruct the intersection and modify the traffic signals at the intersection of Valley Drive and Bayshore Blvd. as shown on the Vesting Tentative Map and as specified in the Northeast Ridge Development and Canyon Business Center Traffic Impact Analysis Report.</del>		
<del>2.1. Install all Unit II off-site trail improvements as shown on the 1989-2007 Modified Vesting Tentative Map. Any trail improvements east of Unit II, Neighborhood II shall be consistent with the 1989 Vesting Tentative Map or otherwise approved by the U.S. Fish &amp; Wildlife Service. Trail improvements shall be open for public use upon a determination by the City Engineer that all trail improvements have been satisfactorily completed and use of the trail will not expose members of the public to any hazards from other construction activity within the project. Trail improvements shall be</del>	Completed for Unit I	Continued for Unit II, as Amended

maintained by the applicant until the County assumes the responsibility for maintenance.		
<del>q) — Prior to the approval of any Final Map, the applicant shall provide preliminary plans and a cost estimate for striping Valley Drive and providing a 5 foot pedestrian sidewalk from North Hill Drive to Roadway "B". The applicant shall provide bonds in an amount to insure any required property acquisition and the construction of the work. The construction shall be commenced if and when deemed necessary by the City Engineer. The bonds shall be maintained in effect by the applicant for a period of one year after the acceptance of all the public improvements required in Phase II of the Northeast Ride Project. In the event the City Engineer does not order the work to be installed and/or one year elapses after the acceptance of the completion of all Phase II public improvements, the bonds shall be released by the City and the applicant shall not be required to perform the work.</del>	Completed for Unit I	Not Applicable for Unit II
<del>r) — Prior to recording a Final Map the applicant shall pay the City of Brisbane a one time lump sum payment in the amount of One Hundred Fifty Thousand Dollars (\$150,000) to reimburse the City for the amortized difference between the maintenance cost for local streets.</del>	Completed for Unit I	Not Applicable for Unit II
<b>III. STORM DRAINAGE</b>		
a) Concurrent with the approval of any Final Map, all storm drainage facilities within public streets or serving public streets or public property for which the City of Brisbane has the maintenance responsibility shall be offered for dedication to the City of Brisbane.	Completed for Unit I	Continued for Unit II
<del>b) — Concurrent with the approval of any Final Map, all storm drainage facilities within GVMID, but outside the Northeast Ridge Project, shall be offered for dedication to GVMID.</del>	Completed for Unit I	Not Applicable for Unit II
<del>e) — Prior to approval of any Final Map, the precise sizing, location, point of discharge and ultimate disposal of both on-site and off-site storm waters shall be determined by a storm drainage study performed by the applicant during the design of the improvements and shall be to the satisfaction and approval of the City Engineer. The storm drainage study shall include alternative solutions for the wetlands flow through Neighborhoods Two and Three. The alternative solutions shall include designs for overland water flow such that the water course and water flow appear natural. These designs shall be submitted to the Planning Commission for review and approval prior to approval of any Final Map.</del>	Completed for Unit I	Not Applicable for Unit II
b) Prior to approval of any Final Map, public and private improvements to accommodate and convey storm water from the Northeast Ridge Project shall be designed and constructed by the applicant in accordance with the Brisbane Municipal Code and to the satisfaction of the City Engineer. On-site storm drains shall be designed to accommodate a 20-year storm event without surcharging	Completed for Unit I	Continued for Unit II

the pipelines. At low points, where excessive ponding on the streets could occur, the drainage facilities shall be designed to accommodate a 100-year tide/storm event. All designs shall be subject to the approval of the City Engineer.		
c) Prior to approval of any Final Map, at sag (low point) locations on streets, storm water runoff overflow facilities shall be designed by the applicant to protect adjacent structures from flooding or damage should the runoff overflow the adjacent curb or gutter. Such facilities are subject to the approval of the City Engineer.	Completed for Unit I	Continued for Unit II
<del>f) Prior to approval of any Final Map and in the event the storm drainage study described in c. above indicates that any storm drainage waters should flow into the North Bayshore Storm Drainage System, the applicant shall contribute funds for downstream improvements in proportion to the amount of the project's contribution to increased storm flow to the downstream system. The amount of this contribution shall be based upon the estimated cost of the downstream projects and improvements as determined and agreed upon by the City of Daly City and the City of Brisbane as a result of a study currently being undertaken by these two Cities. The applicant shall pay the fees determined above within sixty days of notice by the City Engineer.</del>	Completed for Unit I	Not Applicable for Unit II
g) The Subdivision Improvement Agreement shall include the following off-site storm drainage improvements:	Completed for Unit I	Not Applicable for Unit II
Phase I:	Completed for Unit I	Not Applicable for Unit II
1. Valley Drive and the outfall storm drainage improvements as shown conceptually on the Vesting Tentative Map and as specified in the Storm Drainage Study for the GVMID Drainage Basin.	Completed for Unit I	Not Applicable for Unit II
2. The Guadalupe/North Hill storm drain improvements as shown conceptually on the Vesting Tentative Map. Final design shall be part of the improvement plans.	Completed for Unit I	Not Applicable for Unit II
3. An all-weather maintenance access road to the sedimentation pond shall be provided.	Completed for Unit I	Not Applicable for Unit II
d) Within 36 months of the issuance of the first grading permit, the new water storage tank (1,000,000 gallon with a maximum height of 30 feet) shall be constructed. Prior to recording any Final Map, the developer shall provide security in an amount sufficient to pay the cost of the construction of the water tank, in a form acceptable to the City and approved by the City Attorney, unless the tank has already been constructed. <i>Prior to final acceptance any storm drain pipeline, applicant shall provide a color CCTV inspection record subject to the approval of the City Engineer.</i>	Completed for Unit I	New Condition
<b>IV. SANITARY SEWERS</b>		
a) Prior to recording any Final Map the sanitary sewer lines within GVMID shall be televised and a report specifying necessary repairs shall be prepared by the applicant and submitted for the	Completed for Unit I	Not Applicable for Unit II

<del>approval of the City Engineer. The applicant shall be required to perform these necessary repairs as part of the Subdivision Improvement Agreement.</del>		
a) Concurrent with the approval of any Final Map, all sanitary sewer improvements, excluding those within the boundaries of GVMID and service laterals, shall be offered for dedication to the City of Brisbane.	Completed for Unit I	Continued for Unit II, as Amended
<del>e) Concurrent with the approval of any Final Map, sanitary sewer improvements within the boundaries of GVMID, but outside the Northeast Ridge Project boundaries, shall be offered for dedication to GVMID.</del>	Completed for Unit I	Not Applicable for Unit II
<del>d) Prior to acceptance of the completed work, the sanitary sewerage from the project which is not routed through the existing pumping station on Valley Drive shall be provided with a barminuter and flow meter, if requested by the receiving agency, at the applicant's expense.</del>	Completed for Unit I	Not Applicable for Unit II
<del>e) The Subdivision Improvement Agreement shall include provision for GVMID sewer system repairs and improvements and modification of existing pumps and pumping station as shown on the Vesting Tentative Map and as specified in the completed Brian Kangas Foulk Utility System Inspection Report, Crocker Industrial Park, City of Brisbane and to the satisfaction of the City Engineer.</del>	Completed for Unit I	Not Applicable for Unit II
<del>f) Prior to acceptance of the completed work, all weather maintenance roads, gated at both ends, shall be provided for the sanitary sewers within easements at the rear of lots 21 through 26, 38 through 40 and lots 42 through 45 and shall be subject to approval of the City Engineer.</del>	Completed for Unit I	Not Applicable for Unit II
g) b) Prior to approval of any Final Map, all sanitary sewer improvements shall be designed in accordance with the Brisbane Municipal Code and to the satisfaction of the City Engineer.	Completed for Unit I	Continued for Unit II
<b>V. GRADING</b>		
a) Prior to the issuance of any grading permit or to the issuance of any building permit, whichever is earlier, the applicant shall comply with the City of Brisbane Grading Ordinance.	Completed for Unit I	Continued for Unit II
b) Prior to the issuance of any Grading Permit, a grading plan consistent with the City of Brisbane Grading Ordinance shall be submitted and shall be signed and stamped by the project civil engineer prior to its submission for approval by the City Engineer. The plan shall be approved by the City Engineer prior to the issuance of a Grading Permit. <del>The City Engineer shall prepare a list of deviations from the conceptual plan for review and approval by the City Council prior to issuance of any Grading Permit.</del>	Completed for Unit I	Continued for Unit II, as Amended
c) Prior to the issuance of any Grading Permit, the applicant shall <i>comply with any applicable requirements of the State Water</i>	Completed for Unit I	Continued for Unit II, as

<p><del>Resources Control Board Construction General Permit. submit erosion control plans to the Regional Water Quality Control Board for their review and approval and shall comply with any and all conditions imposed by the Board. Erosion control plans shall be prepared in accordance with the Association of Bay Area Governments Manual of Standards for Surface Runoff Control Measures (latest revision) and included as a part of the grading permit application.</del></p>		Amended
<p>d) Prior to the acceptance of the completed grading work, the civil engineer who prepared the grading plan, and provided the required field observations of the grading operations shall certify that the work is completed, that the grading has been accomplished in substantial conformance with the plans and specifications for the project, and that the design concepts in the soils engineering and engineering geology reports for the project and the site specific additional recommendations, made by the Soils Engineer and the Engineering Geologist, made during construction have been carried out.</p>	Completed for Unit I	Continued for Unit II
<p><del>e) — Prior to final acceptance of the completed work for Phase I, the community facility at the (park/school) site, shown on the VTM, shall be graded and the building constructed except as may be modified through Condition E.16.</del></p>	Completed for Unit I	Not Applicable for Unit II
<p><del>f) e) The grading shown on the vesting tentative subdivision map shall not commence until the applicant has complied with necessary requirements of the City's grading ordinance, set forth in Brisbane Municipal Code Chapter 15.01, as determined by the City Engineer. Parcel Z, as described on pages VII-48 through VII-56 of the San Bruno Mountain Area Habitat Conservation Plan, may be graded for landscaping for erosion control and screening only, as shown in EX-3-89. However, no vested right to develop Parcel Z is being granted at this time. Development of Parcel Z can proceed only after a use permit is obtained in compliance with applicable provisions of the Brisbane Municipal Code.</del></p>	Completed for Unit I	Continued for Unit II, as Amended
<p>g)f) GRADING OPERATIONS: 1. Prior to the issuance of <del>any-the</del> Grading Permit, a Grading Permit application shall be submitted. <del>The grading application shall include-the applicant shall submit</del> plans and supporting calculations for the design of retaining walls <i>for review and approval by the City Engineer.</i> Prior to issuance of the Grading Permit, the Planning Commission shall review it for compliance with the geotechnical recommendation and with the adopted conditions of approval. The grading operations shall be accomplished in accordance with the terms of the Grading Permit, the requirements of the project soils and geological reports, the approved plans and specifications and at the direction of the applicant's project civil engineer in the field. Such</p>	Completed for Unit I	Continued for Unit II, as Amended

work shall be reviewed by the City Engineer. The project civil engineer shall be a civil engineer licensed by the State of California and experienced in soils mechanics and engineering geology.		
2. Prior to the issuance of any Grading Permit, the applicant will submit a Dust Control program to the City Engineer for review and approval. During the construction, the entire project site shall be adequately sprinkled to prevent dust from being blown into the air and carried into the adjacent developed areas. <u>Dust control shall be for seven days a week and 24 hours a day, if required by the City Engineer. (Emphasis in Original)</u>	Completed for Unit I	Continued for Unit II
3. During construction, the haul roads within City of Brisbane shall be cleaned daily, or more often, as required by the City Engineer, to remove all dirt and debris spilled or tracked onto streets, which is attributable to the project construction activities.	Completed for Unit I	Continued for Unit II
4. Prior to the issuance of any Grading Permit, the applicant shall provide the City security as required in the Grading Ordinance, in a form satisfactory to the City Attorney. The City also has the right to draw upon the applicant's <del>\$100,000</del> City Cost Reimbursement Account as described in Section XII, a and b, to reimburse the City for any expense incurred due to emergency services provided by the City or its contractors to rectify public health and safety nuisances resulting from the grading work. Prior to <del>the</del> commencing corrective work, the City will, if time permits, notify the applicant in writing to correct any nuisance or hazard. In the event of failure of the applicant to correct such nuisance or hazard in a timely and satisfactory manner, the City Engineer may order the necessary corrective work to be performed and the cost deducted from the City cost reimbursement account.	Completed for Unit I	Continued for Unit II, as amended
5. Prior to the issuance of any Grading Permit, erosion control and maintenance plans shall be submitted to the City Engineer for review and approval, as required by the Municipal Code.	Completed for Unit I	Continued for Unit II
h) g) INSPECTION: 1. During construction, the applicant shall provide continuous on-site grading inspection services by his civil engineer. At a minimum, inspection services shall be provided at a level that will permit the civil engineer to certify that all grading work was performed in accordance with the requirements of the project soils and geological reports and in accordance with their recommendations.	Completed for Unit I	Continued for Unit II
2. During construction, because grading is an important element of the project, it is the City's intention to require City Inspector(s) to be in the field continuously full time, on-site. Funding for the City monitoring and inspection of construction shall be provided by the applicant from the City Cost Reimbursement Account funds provided in Section XII a. and b. In the event funds required in Section XII a. and b. are not promptly deposited by the developer, work on the	Completed for Unit I	Continued for Unit II

project shall be stopped until such funds are provided. City monitoring will include full-time on-site monitoring by a City Inspector(s).		
<p>h) MAINTENANCE OF UNIMPROVED GRADED AREAS:</p> <p>1. Prior to acceptance of the completed work, the applicant shall provide 24 hours a day, 7 days a week maintenance, if required, by the City Engineer, of all graded or otherwise disturbed areas. The maintenance work shall include the control of dust and erosion, the repair and cleaning of drainage and silt retention facilities, the irrigation of erosion control plantings, and the repair of slope failures, sumps and potentially hazardous conditions, as required by, and subject to the approval of, the City Engineer.</p>	Completed for Unit I	Continued for Unit II
<p>2. Prior to issuance of a Grading Permit, a regular maintenance program for unimproved graded areas shall be submitted to the City Engineer for review and approval. The maintenance program shall be implemented by the applicant's contractor to the satisfaction of the City Engineer.</p>	Completed for Unit I	Continued for Unit II
<p>i) MAINTENANCE OF IMPROVED SLOPE AREAS:</p> <p>1. Prior to recording any <i>Unit II</i> Final Map or <i>issuance of any</i> Grading Permit, the applicant shall <del>prepare-submit</del> a written maintenance plan, with specifications, schedules and illustrative exhibits for the maintenance and repair of slope areas, drainage facilities, benches, gutters and subdrains, <i>and such maintenance plan shall be approved by the City Engineer prior to the recording of any Final Map or issuance of any Grading Permit, whichever occurs first.</i> <del>for the review and approval of the City Engineer.</del> The plan shall require that the applicant, its successors in interest, and the future owners of both the common areas and improved lots shall repair and maintain all slope areas within their property. <del>Such plan shall be approved prior to the recording of any Final Map or issuance of any Grading Permit, whichever occurs first.</del></p> <p>The applicant and future property owners shall maintain their property in accordance with the approved maintenance plan.</p>	Completed for Unit I	Continued for Unit II as Amended
<p>3. Prior to recordation of any Final Map, the maintenance plan shall be incorporated into the Northeast Ridge Project C.C. &amp; R.'s, which shall be submitted for City approval.</p>	Completed for Unit I	Continued for Unit II
<p>j) LOT PAD AND GRADING APPROVALS:</p> <p>1. Prior to issuance of a Building Permit for any structure within the Northeast Ridge Project, the applicant's civil engineer shall verify in writing that the grading and earthwork within the building pad area is complete and in conformance with the approved Grading Permit and the project's soils and geotechnical reports and with his recommendations. The civil engineer's lot pad certifications shall be submitted to the City Engineer and the City's Geotechnical Consultant for review and approval.</p>	Completed for Unit I	Continued for Unit II
<del>l) SAN FRANCISCO WATER DEPARTMENT APPROVAL</del>	Completed for	Not Applicable

1. — Prior to the issuance of any grading permit for the 10-acre commercial site, the applicant shall submit a letter from the San Francisco Water Department stating it has reviewed the Grading Plans and has no objection.	Unit I	for Unit II
<b>VI. STREET LIGHTING</b>		
a) — Prior to approval of any Final Map, an illumination study shall be conducted on the existing GVMID street lighting system and shall be submitted to the City Engineer and the City Planning Director for review. The Final Map shall not be recorded until the City Engineer and City Planning Director have approved the study. Improvements, if necessary, shall conform to IES Standards and shall be included in the Subdivision Improvement Agreement.	Completed for Unit I	Not Applicable for Unit II
b)-a) Prior to approval of any Final Map, the final street lighting (electrolier) plan for the project shall be closely coordinated with the final street improvement, grading, landscaping and other plans and shall be subject to the approval of the City Engineer.	Completed for Unit I	Continued for Unit II
e) — Prior to approval of any Final Map, plans for additional safety lighting, if deemed necessary by the City Engineer, shall be provided, by the applicant, along the school parking lot, within the parking lot adjacent to the park, along the park access road and other designated areas, and shall be part of the final improvement plans and subject to the approval of the City Engineer.	Completed for Unit I	Not Applicable for Unit II
d)b) Lighting of collector streets and the new Quarry Road shall conform to IES Standards for collector streets, 0.4 foot candles with a uniformity ratio of 4 to 1. Local streets shall be designed for 0.3 foot candles with a uniformity ratio of 6 to 1, or such other standard as approved by the City Engineer.	Completed for Unit I	Continued for Unit II, as Amended
<b>VII. WATER</b>		
a) Prior to any framing in Unit II, the water system improvements are to be constructed and completed as shown on the Vesting Tentative Map and as specified in the Integrated Water System Analysis for the Northeast Ridge Development, GVMID and Brisbane, dated August 1988 by Brian-Kangas-Fouk.	Completed for Unit I	Continued for Unit II
b) All water mains, services and appurtenances shall be designed and installed to the standards of the City of Brisbane and to the satisfaction of the City Engineer and the City of Brisbane Fire Chief.	Completed for Unit I	Continued for Unit II
c) Prior to any Final Map approval, the plan for construction staging of the water system facilities shall be submitted and shall be subject to the approval of the City Engineer and the City Fire Chief. Fire Department general requirements for construction staging are shown in Fire Department Conditions of Approval.	Completed for Unit I	Continued for Unit II
d) All water system improvements, excluding service laterals and the North Hill Drive pumping station, shall be dedicated to the City prior to acceptance of the Phase I completed work.	Completed for Unit I	Continued for Unit II as Amended
e) <i>Install two new PRV/PSV Stations, one located on Monarch Drive and the second on Silverspot Drive near West Hill Drive, in</i>		New Condition



<i>order to separate the pressure zone serving the Northeast Ridge from the rest of Crocker Industrial Park, in accordance with plans and specifications approved by the City Engineer.</i>		
<b>VIII. UTILITIES</b>		
a) Prior to approval of any Final Map, plans showing the precise sizing and alignment of all public utility easements shall be submitted by the applicant for approval by the City Engineer and the utilities as being satisfactory to them for the intended purpose. Prior to recording any Final Map, the applicant shall submit letters of approval from the utility companies verifying the adequacy of rights-of-way or easements for utilities as depicted on the Final Map.	Completed for Unit I	Continued for Unit II
b) All utilities, with the exception of the existing transmission towers, high voltage transmission lines and new water tank, shall be placed underground.	Completed for Unit I	Continued for Unit II
c) Prior to the issuance of any Certificate of Occupancy, each dwelling unit within the Northeast Ridge Project shall be pre-wired by the applicant for communication and cable T.V. services.	Completed for Unit I	Continued for Unit II
<b>IX. MAINTENANCE</b>		
<del>a) — Prior to recording a Final Map, the applicant shall request that a Lighting and Landscaping Maintenance District or Districts be formed, including the entire project, for the maintenance of the public street lighting, the public street landscaping (including the traffic islands on Bayshore Boulevard at Valley Drive and at Guadalupe Canyon Parkway and on Guadalupe Canyon Parkway at North Hill Drive), entrance monumentation area and the sedimentation basin, subject to the approval of the City Attorney and the City Council.</del>	Completed for Unit I	Not Applicable for Unit II
<del>b) a) Prior to recording any Final Map, the applicant shall supply CC&amp;R's showing all landscaping, fire buffers, private storm drainage facilities and other common area maintenance shall be performed by the Neighborhood Homeowner Associations and the obligation to perform shall be included in and enforceable under the CC&amp;R's, which shall be subject to the approval by the Planning Director and the City Attorney.</del>	Completed for Unit I	Continued for Unit II
<del>e) b) Prior to each phase of dedication and acceptance of the Conserved Habitat Area to the County of San Mateo, the applicant shall perform and coordinate the initial thinning of the Eucalyptus trees in accordance with the "Eucalyptus Management Handbook" prepared for the project and in accordance with the commentary by Barrie Coate dated October 26, 1988. Any existing eucalyptus trees which are to be removed as part of the development of Unit II shall be shown on the approved Grading Plans. The land upon which existing eucalyptus trees are located, which are to remain, shall be conserved and the land dedicated to the County of San Mateo. The applicant shall maintain the eucalyptus grove until the HCP operator assumes responsibility for the maintenance of the grove or until</del>	Completed for Unit I	Continued for Unit II, as Amended

acceptance of the dedication by the County.		
d) c) The slopes, <del>sedimentation pond</del> , bench drains and trails within the HCP shall be maintained by the applicant until the County of San Mateo, <del>or another public entity</del> , or the Homeowner's Association accepts the <del>dedication and maintenance</del> responsibility.	Completed for Unit I	Continued for Unit II, as Amended
<b>X. LANDSCAPING</b>		
a) <del>— Prior to approval of any Final Map, the applicant shall design the monument sign and landscaping at the northwest corner of Guadalupe Canyon Parkway and the east access road (Road A) to incorporate the debris catchment wall, and the design shall be subject to the approval of the Planning Director, the City Engineer and the Geotechnical Engineer.</del>	Completed for Unit I	Not Applicable for Unit II
b) a) Prior to approval of any Final Map, the final landscaping and monumentation plans including landscaping around the existing water tank, utility vaults and retaining walls shall be designed so that the improvements will be screened within five years and so that safe stopping sight distance requirements along the roadways are provided, all of which shall be subject to the approval of the City Engineer and the Planning Director.	Completed for Unit I	Continued for Unit II
e) b) Prior to approval of any Final Map, the specific landscaping around and the construction materials for the utility vaults shall be shown as part of the final improvement plans and shall be subject to approval of the City Engineer, Planning Director and respective utility company. There shall be no conflicts between structure placement, alignment and planting.	Completed for Unit I	Continued for Unit II
<b>XI. PLANS, SPECIFICATIONS AND IMPROVEMENT AGREEMENT</b>		
a) Prior to approval of any <del>Phase I or Phase</del> Unit II Final Map, the applicant shall submit to the City Engineer, for review and approval, complete improvement plans and specifications, for the phase of construction being considered, designed by a Civil Engineer registered in the State of California, for all of the work described above. No work shall be started until the relevant Final Map is approved and recorded.	Completed for Unit I	Continued for Unit II
b) Prior to submission of any Final Map for approval, the applicant's civil engineer shall sign, date and place his registration stamp upon each improvement, grading and construction plan, which shall be submitted for approval by the City Engineer. All traffic, channelization and signal plans shall also be designed, signed, dated and registration stamped by a traffic engineer registered in the State of California and shall be submitted for approval by the City Engineer. Prior to filing any Final Map with the City, a Subdivision Improvement Agreement shall be executed. The design of the public improvements shall be done by experts and shall be supported by	Completed for Unit I	Continued for Unit II

soils test results, including R-values and drainage calculations and submitted to the City Engineer for his review and approval. The work shall be accomplished in accordance with the Subdivision Improvement Agreement between the applicant and the City, and to the satisfaction of the City Engineer.		
c) Prior to signing the Subdivision Improvement Agreement, the applicant shall provide the City with performance and labor and material bonds, each equal to 100% of the City Engineer's estimate for the cost of construction, and liability and property damage insurance in a form required by law and approved by the City Attorney. The public improvements shall be installed by the applicant in accordance with the approved plans at no cost to the City. The Subdivision Improvement Agreement shall provide that the applicant shall pay for all the City's costs incurred in connection with the project.	Completed for Unit I	Continued for Unit II
d) Prior to the applicant's staging of <i>infrastructure</i> improvements <del>and utilities</del> (placing portions of the <i>infrastructure</i> improvements in service within a <del>subdivision</del> <i>Unit II</i> prior to the completion of the entire subdivision infrastructure), approval by the City Engineer is required.	Completed for Unit I	Continued for Unit II, as Amended
e) Prior to acceptance of the completed work, the public improvements shall be constructed and installed in accordance with plans and specifications approved by the City Engineer.	Completed for Unit I	Continued for Unit II
f) Prior to the approval of any Final Map, the applicant shall furnish the City Engineer with two copies of all documents, studies, reports analysis, calculations and related material used by the applicant's consultants to design the subdivision improvement plans.	Completed for Unit I	Continued for Unit II
g) Prior to final acceptance of completed work, the applicant shall submit a set of "Record Drawing" plans of all public utility and improvement plans to the City Engineer for approval. The "Record Drawing" plans shall be the original tracings or permanent "mylar" transparencies of a quality acceptable to the City Engineer and two blueline copies of the plans <i>and electronic copies on CD</i> .	Completed for Unit I	Continued for Unit II, as Amended
<b>XII. REIMBURSEMENT OF CITY COSTS</b>		
a) Prior to the approval of any Final Map or the issuance of a Grading Permit or approval of a Building Permit, the applicant shall deposit funds with the City to reimburse the City for all costs for engineering, plan checking, monitoring, inspection and other costs associated with the construction and installation of the public and private improvements and supporting grading work on the Northeast Ridge Project, including administrative overhead. These costs shall include salary, benefits, equipment, and transportation, costs of office engineering and field review services provided by civil engineering, geotechnical and other required consultants retained by the City, expenditures for materials and	Completed for Unit I	Continued for Unit II

equipment testing, and City engineering and maintenance staff costs.		
b) Prior to the approval of any Final Map or the issuance of a Grading Permit or a Building Permit, the applicant will deposit funds with the City to reimburse the City for expenditures incurred associated with the project. <del>These expenditures shall be funded by \$100,000.00 deposited with the City by the applicant.</del> Funds will be withdrawn by the City from the deposit to pay for the incurred costs, and the developer will be billed monthly as necessary to replenish the fund. The City shall deposit such funds in a separate account referencing this specific project, and upon completion of the Northeast Ridge Project construction work, unexpended funds and accrued interest from the deposit will be returned to the applicant. The applicant shall maintain a minimum balance of \$50,000 in the account. <del>If the balance drops below \$50,000, work on the project shall cease.</del> The City will provide the applicant with the hourly rates and scope the work of those who will be performing services for the City which will be charged against this account. <i>Failure by the applicant to maintain sufficient funds in the account for payment of the City's expenses shall be grounds for the City to suspend further work on the project until the necessary funds are deposited.</i>	Completed for Unit I	Continued for Unit II, as Amended
<b>XIII. PRIVATE PROPERTY AND COMMON AREA IMPROVEMENTS</b>		
a) The design of the streets structural pavement section, shall conform to street standards adopted for this project and as shown on the Vesting Tentative Map.	Completed for Unit I	Continued for Unit II
b) Garage driveway access slopes shall not exceed 20% at any location on a driveway which is used for vehicle traffic. Storm water runoff shall not be discharged in a concentrated flow across or over driveways.	Completed for Unit I	Continued for Unit II
c) Each residential street shall have a pedestrian sidewalk on at least one side, the unit side, of the street.	Completed for Unit I	Continued for Unit II
d) Access ramps shall be provided at each location where a painted crosswalk is proposed and any quadrant of any intersection that has a sidewalk.	Completed for Unit I	Continued for Unit II
e) Each residential unit shall be connected to a sanitary sewer system discharging into the public sewer system.	Completed for Unit I	Continued for Unit II
f) Prior to City acceptance of the completed work, traffic regulatory and warning signs shall be installed by the applicant as required by the City Engineer. At appropriate locations, streets shall be posted "No Parking at Any Time", "Tow-Away Zone", etc. subject to the approval of the City Engineer. Stop signs and crosswalks shall be installed at each street intersection where required by the City Engineer for traffic and pedestrian safety. Intersection curb returns shall have a minimum radius of 15 feet.	Completed for Unit I	Continued for Unit II
g) All roof leaders shall discharge directly into an approved drainage facility or shall discharge onto a paved surface sloping away	Completed for Unit I	Continued for Unit II

from the building foundation. The lot drainage design shall be done by the applicant's civil engineer and subject to the approval of the City Engineer.		
h) All storm drainage runoff shall be discharged into a pipe system, concrete gutter, <i>or vegetative swale</i> . Runoff shall not be surface drained into adjacent private property. Area drains shall be provided with clean outs, inlets, manholes or other structures as required to provide access for maintenance to all portions of the drainage system. The design of all storm drainage systems is subject to the approval of the City Engineer.	Completed for Unit I	Continued for Unit II, as Amended
i) Prior to the approval of any Final Map, storm drains, surfaced areas, planted areas, sprinkler systems and their controls, area lighting, water lines and utility lines and facilities shall be shown on the subdivision site improvement plans and submitted for review and approval by the City Engineer.	Completed for Unit I	Continued for Unit II
j) Prior to approval of any Final Map, plans shall be submitted for review and approval for all common areas which shall be landscaped and irrigated and approved by the City Engineer and Planning Director.	Completed for Unit I	Continued for Unit II
k) All residential structures shall meet the minimum setback requirements set forth in Chapter 29 of the Uniform Building Code unless specifically provided for by the City Council's approval of a Planned Development Permit. Exceptions to this requirement may be granted by the City Engineer or waived by the City Engineer if justified and recommended in the project soils report and as shown on the Tentative Map, unless otherwise provided for herein. The City Engineer may also require additional setbacks based on the soils report for the project.	Completed for Unit I	Continued for Unit II
l) Prior to the issuance of any Certificate of Occupancy, utility easements shall be dedicated to the utility company which required said easements to maintain its facilities. All on-site improvements, excepting the public streets and the sanitary sewer and water mains (including the fire hydrants); <i>and the storm drains for within the public right of way, streets and the facilities maintained by the maintenance district;</i> shall be maintained by the Homeowner's Association.	Completed for Unit I	Continued for Unit II, as Amended
m) Prior to the issuance of a Building Permit, the applicant shall submit a site plan for each lot showing the location of all structures, utilities, fences, grading and drainage within the lot for approval by the City Engineer and Planning Director.	Completed for Unit I	Continued for Unit II
n) Prior to the issuance of a Building Permit, plans shall be submitted which show that each building finish floor or garage floor elevation shall be greater than the height of the pavement surface in front of the building, unless a specific drainage device is installed to route potential runoff overflow around and away from the structure and approved by the City Engineer. Garage floors and other portions	Completed for Unit I	Continued for Unit II

of the building structure shall be protected from flooding caused by a 100-year design storm.		
o) Prior to approval of any Final Map, the applicant shall submit structural computations for every retaining wall and for lined ditches (channels) with side slopes steeper than 1-1/2:1 for approval by the City Engineer. Retaining walls and lined ditches shall be constructed of materials specifically approved by the City Engineer and the Planning Director, and designed by a registered civil or structural engineer specifically for use at the proposed location. Wall locations and design parameters shall be approved by the project soils engineer and are subject to approval of the Planning Director and the City Engineer.	Completed for Unit I	Continued for Unit II
p) Prior to the issuance of a Certificate of Occupancy all inspections, certifications and notifications required by law or the City must be completed and the applicant's civil engineer shall inspect the finish grading surrounding each building and certify that it conforms to the approved site plans and that there is positive drainage away from the exterior of each building, and the applicant shall make any modifications to the grading or drainage facilities required by the project civil engineer to conform to the intent of his plans.	Completed for Unit I	Continued for Unit II
q) Prior to the issuance of a Certificate of Occupancy for any residential unit within the project the applicant shall repair any structural damage to the subdivision streets and, if required by the City Engineer, overlay areas of damage and adjacent pavements with a minimum 1/4 inch thick, Type II (State Standards) Slurry Seal to the satisfaction of the City Engineer.	Completed for Unit I	Continued for Unit II
r) The Northeast Ridge Homeowner's Association C.C. & R.'s shall require the Homeowner's Association to provide ordinary and necessary maintenance of landscaping from the residential units up to the street curbs adjacent to each lot.	Completed for Unit I	Continued for Unit II
s) Prior to the applicant turning the maintenance responsibility over to the Homeowner's Association, the Homeowners' Association shall be provided with two (2) complete sets of the "record drawings" for the construction improvements and landscape plans for its use in maintenance and repair of common areas.	Completed for Unit I	Continued for Unit II
t) Prior to the issuance of a Certificate of Occupancy for each phase of the development, the applicant shall submit to the City the project grading, drainage, improvement, irrigation and utility plans marked "Record Drawing" by the applicant's civil engineer. The "Record Drawing" plans shall be permanent "mylar" transparencies of a quality acceptable to the City Engineer. No Certificate of Occupancy shall be issued until drawings have been approved by the City Engineer.	Completed for Unit I	Continued for Unit II
<b>XIV. SUBDIVISION MAP</b>		
a) Prior to the approval of any Final Map, the applicant shall	Completed for	Continued for

submit closures for lots, blocks and boundaries.	Unit I	Unit II
b) Prior to the approval of any Final Map, the applicant shall submit a copy of a title report of this subdivision that is less than six months old.	Completed for Unit I	Continued for Unit II
c) Prior to approval of any Final Map, the applicant shall comply with the requirements of the Subdivision Map Act and local ordinances with respect to preparing and filing subdivision final maps.	Completed for Unit I	Continued for Unit II
d) Prior to approval of any Final Map, the location of all existing and proposed public and private easements shall be shown and noted on the final map.	Completed for Unit I	Continued for Unit II
e) At least 10 days prior to the issuance of a Building Permit, the applicant shall file with the City Engineer a reproducible "mylar" copy of the Final Subdivision Map, one cloth copy and two blue line prints for the City's permanent records <i>and one electronic copy on CD.</i>	Completed for Unit I	Continued for Unit II as Amended
f) Prior to the submittal of any Final Map for checking, all proposed deed restrictions and C.C. & R.'s shall be submitted for the approval of the Planning Department and the City Attorney. The approved deed restrictions and C.C. & R.'s shall be recorded in the office of the County Recorder concurrent with recording any Final Map.	Completed for Unit I	Continued for Unit II
<b>XV. CONSTRUCTION MONITORING AND QUALITY CONTROL PROGRAM</b>		
a) Prior to the issuance of a Grading Permit, a quality control program shall be submitted to the City Engineer for review and approval. In order to provide assurance to the City that the grading, improvements, landscaping and site construction work within the property to be owned and maintained by the homeowners association, as well as the drainage and finish grading improvements surrounding each home have been properly constructed in accordance with the approved plans, specifications, project requirements and conditions of approval, the applicant shall develop a quality control program to inspect the work which includes the City monitoring and inspection services.	Completed for Unit I	Continued for Unit II
b) The applicant shall inspect the project work daily and shall supply to the City Engineer daily written documentation of all inspections and testing performed to verify compliance with the approved plans. The applicant shall coordinate these activities with the City Engineer, contractors, and sub-contractors, public utilities and the Habitat Conservation Plan Operator. The quality control program shall be funded entirely by the applicant.	Completed for Unit I	Continued for Unit II
c) The City Engineer shall be authorized to inspect the construction of all improvements as well as monitor the activities of the applicant's quality control program, respond to citizen inquiries, attend construction field meetings, organize, review and file project	Completed for Unit I	Continued for Unit II

related correspondence, logs, test results and similar documents, coordinate with public utilities and perform other services in connection with the development of the Northeast Ridge Project. The City Engineer may be assisted by Geotechnical and Civil Engineering consultants as necessary to perform the inspection and monitoring services.		
d) Prior to the issuance of a Grading Permit, the applicant shall prepare a detailed geotechnical quality control program to provide independent review and confirmation of all geotechnical decisions and reviews during construction including, but not limited to, the installation and interpretation of instrumentation, field trials of excavation and fill materials, drainage installations, application of slope stabilization techniques and construction monitoring. This quality control program shall be subject to the approval of the City Engineer and the applicant must commit to its implementation prior to the issuance of a grading permit.	Completed for Unit I	Continued for Unit II
e) The quality control program will be monitored by the City Engineer. In the course of construction, differences of opinion may occur between the applicant and the City as to the interpretation of the approved plans and specifications, geotechnical solutions to unexpected field conditions, the acceptability of particular methods of construction and similar matters. The City Engineer will make every effort to resolve the differences to all parties satisfaction. However, the City Engineer shall make the final decision regarding disputes which decision shall be binding on the applicant, his contractors and consultants.	Completed for Unit I	Continued for Unit II
<del>f) — Prior to commencing construction, the applicant shall provide a desk, telephone and access to a copy machine in the contractor's field office and/or trailers for the use of the City staff while at the job.</del>	Completed for Unit I	Not Applicable for Unit II
<b>B. FIRE DEPARTMENT</b>		
<b>I. GENERAL</b>		
<del>a) — The emergency road from Neighborhood 1 North to Guadalupe Canyon Parkway shall be an all-weather road with a gravel surface, and have gates installed as to limit access to emergency vehicles only, subject to approval of the City Engineer.</del>	See New Fire Conditions Set Forth Below	See New Fire Conditions Set Forth Below
<del>b) — The applicant shall install fire hydrants at locations, and to the design requirements of the City of Brisbane and as specified by the City Engineer and the City Fire Chief. Maximum spacing of fire hydrants shall be 500 feet.</del>	See New Fire Conditions Set Forth Below	See New Fire Conditions Set Forth Below
<del>c) — Emergency vehicle access and fire lines and hydrants shall meet the approval of the Fire Chief.</del>	See New Fire Conditions Set Forth Below	See New Fire Conditions Set Forth Below
<del>d) — Prior to any framing work, fire hydrants shall be installed, in working order and approved by the City of Brisbane Fire Chief. Building materials and/or construction vehicles shall be kept clear of any fire hydrants.</del>	See New Fire Conditions Set Forth Below	See New Fire Conditions Set Forth Below



e) — Prior to any framing work, roadways shall be accessible to fire apparatus.	See New Fire Conditions Set Forth Below	See New Fire Conditions Set Forth Below
f) — Prior to the issuance of a Building Permit, a thirty (30) foot cleared fire buffer area between any structure and/or any undeveloped open space or the HCP shall be provided by the applicant. The thirty (30) foot cleared fire buffer area may be reduced by the approval of an alternative system subject to the approval of the City of Brisbane Fire Chief and the City Engineer. In either event, fire detectors or other devices approved by the Fire Marshal are to be installed and an approved annunciator panel with central station monitoring shall be provided.	See New Fire Conditions Set Forth Below	See New Fire Conditions Set Forth Below
g) — The emergency vehicle access roads shall have all weather driving surfaces and have a minimum vertical clearance of 13.5 feet. Such roads shall be capable of supporting a 50,000 pound fire truck with a 40,000 pound rear and 18,000 pound front axle criteria (and an 18,000 pound point base).  The emergency access roads created within Neighborhood One North shall be of reinforced concrete and have gates installed as to limit access to emergency vehicles only. Such roads are to be a minimum of 20 feet in width.	See New Fire Conditions Set Forth Below	See New Fire Conditions Set Forth Below
h) — Prior to any framing in Phase II, fire hydrants shall be installed and in working order to the satisfaction of the Fire Department including those alongside the new access roads within neighborhood One North.	See New Fire Conditions Set Forth Below	See New Fire Conditions Set Forth Below
i) — Prior to any framing in Phase I, the water system interties are to be installed. The two interties between GVMID and the existing Brisbane water systems shall be made at San Francisco and Visitation and between either GVMID Zone II and Brisbane Zone II or the Northeast Ridge Zone II and Brisbane Zone III, to the satisfaction of the City Engineer.	See New Fire Conditions Set Forth Below	See New Fire Conditions Set Forth Below
j) — Prior to the issuance of a Certificate of Occupancy, all structures, including single family homes, condominiums, apartments, community centers and the school administration building shall be equipped with fully automatic fire sprinkler systems.	See New Fire Conditions Set Forth Below	See New Fire Conditions Set Forth Below
k) — Tree canopies that extend over roadways shall be at least 13'6" above the street level.	See New Fire Conditions Set Forth Below	See New Fire Conditions Set Forth Below
l) — Prior to final acceptance of the completed work, blue dots shall be provided for every fire hydrant within the project and, where required by the City Engineer, the curb shall be painted red.	See New Fire Conditions Set Forth Below	See New Fire Conditions Set Forth Below
m) — Prior to the issuance of a Certificate of Occupancy, address numbers for all structures shall be visible from the street. Illuminated address numbers would be preferable and are encouraged.	See New Fire Conditions Set Forth Below	See New Fire Conditions Set Forth Below

n) — All roofing material shall conform to the current Roofing Ordinance.	See New Fire Conditions Set Forth Below	See New Fire Conditions Set Forth Below
o) — Prior to the issuance of a Certificate of Occupancy for any dwelling unit, that dwelling unit shall be equipped with hard wired smoke detectors in accordance with the Uniform Building Code.	See New Fire Conditions Set Forth Below	See New Fire Conditions Set Forth Below
p) — The following conditions apply to the areas within the Northeast Ridge designated as fire buffer areas and are subject to the acceptance of the fire department's approval of the automatic fire sensors proposed by Southwest Diversified.	See New Fire Conditions Set Forth Below	See New Fire Conditions Set Forth Below
1. — Standpipes, with 150' of 1-3/4" Dura-Pac hose (or equivalent), shall be installed every 100' within the fire buffer area, or as approved by the Fire Marshal	See New Fire Conditions Set Forth Below	See New Fire Conditions Set Forth Below
2. — Fire sensors shall be mounted in approved housing or securely attached to the rock wall. Sensors are to be wired into an annunciator panel and a central station monitoring company.	See New Fire Conditions Set Forth Below	See New Fire Conditions Set Forth Below
3. — A minimum of 15' wet landscaping shall be provided from the structure to the rock wall. Where applicable, a minimum of 15' of dry landscaping (irrigated drip only) shall be provided.	See New Fire Conditions Set Forth Below	See New Fire Conditions Set Forth Below
4. — A dedicated sprinkler system, with a minimum six inch (6") main, shall be provided in conjunction with the automatic fire sensors, or as approved by the Fire Marshal.	See New Fire Conditions Set Forth Below	See New Fire Conditions Set Forth Below
5. — Plant palette proposed by the applicant is acceptable. Care should be taken to minimize ground cover in areas where a "fire ladder" (flammable ground cover near trees) could occur.  In the event the fire sensors are not approved by the fire department, the fire buffer zone shall consist of a minimum of 30' of unlandscaped area between the structures and the habitat area. Standpipes are to be installed regardless of fire sensor placement.	See New Fire Conditions Set Forth Below	See New Fire Conditions Set Forth Below
The following conditions of the Fire Department (Memorandum dated September 15, 2003) shall apply to the project:		New Fire Condition
a) Fire sprinklers required with separate plan and permit submittal in accordance with NFPA 13-D. Presently in the 1999 edition.		New Fire Condition
b) Fire sprinkler system shall include attic pilot heads and garage coverage. In addition per BMC 15.44.170 a sprinkler head shall be provided below the access opening for usable under floor space, and the sprinkler system shall be an inspector's test valve piped from an hydraulically remote point of the highest elevation design area.		New Fire Condition
c) All buildings located within 50 feet of the Habitat Conservation Area (HCA) shall be provided with the following additional fire protection requirements: 1. The underside of all balconies and stairs facing the HCA shall be protected by fire sprinklers.		New Fire Condition

<p>2. All windows facing the HCA shall be dual glazed</p> <p>3. All operable windows facing the HCA and greater than fire feet in any dimension shall be provided with exposure protection.</p> <p>4. All eaves facing the HCA greater than three feet in depth shall be protected with fire sprinklers, eaves sprinklers, if properly positioned may also provide for window exposure protection, as required by item 3 above.</p> <p>5. If Neighborhood II, Unit II allows property owners the right to add decks in the yard area now or at a later date; fire sprinkler piping shall be extending through the building to cover the area.</p>		
<p>d) A high moisture landscape zone of at least 15 feet in width shall be located behind buildings located adjacent to the HCA.</p>		New Fire Condition
<p>e) Fire resistive landscaping shall be used for at least the first 30 feet in width behind building located adjacent to the HCA. [See also Condition C-II(i)]</p>		New Fire Condition
<p>f) All valves controlling water supply for the automatic sprinkler systems and water-flow switches on all sprinklers systems shall be electronically monitored when the number of sprinklers is one hundred (100) or greater. A separate plan and permit submittal is required in accordance with NFPA 72, presently in the 1999 edition.</p>		New Fire Condition
<p>g) Main water supply for the project shall meet the standards and approval of the Brisbane Fire Department and City Engineer.</p>		New Fire Condition
<p>h) Fire hydrants shall be installed and tested to the satisfaction of the Brisbane Fire Department and the City Engineer, prior to framing. Minimum spacing distance shall be 500 feet Blue hydrant dots shall be located by the City Engineer.</p>		New Fire Condition
<p>i) Street widths, turnarounds, standards and no parking signs shall be as approved by the Fire Department and City Engineer</p>		New Fire Condition
<p>j) Address numbers for all structures shall be visible from the street. Illuminated address numbers would be preferable and are encouraged. Per BMC Sec 15.44.095 requirements modified as follows: Street numbers shall be internally or externally illuminated from dusk to dawn for all new structures. The method of illumination may be provided by street lights located on an adjacent public right of way, or lighting sources located on site within a common area associated with the site, if approved by the Fire Chief.</p>		New Fire Condition
<p>k) All roofing materials shall conform to the BMC (roofing ordinance)</p>		New Fire Condition
<p>l) Dwellings shall be equipped with hard wire smoke detectors in accordance with the California Building Code</p>		New Fire Condition
<p>m) The applicant shall provide a habitat boundary map for review by the Brisbane Fire Department.</p>		New Fire Condition

n) The gated Emergency Vehicle Access (EVA) road shall comply with the requirements of Section 12.24.010 of the BMC and shall provide an all-weather surface. The road must be able to support a 60,000 lb fire truck.		New Fire Condition
o. The construction of the EVA gate shall be approved by the City Engineer and the City shall be provided with a copy of the key to the locking mechanism.		New Fire Condition
p. All project roadways shall be accessible to fire apparatus prior to framing.		New Fire Condition
<b>C. PLANNING AND BUILDING</b>		
<b>I. GENERAL</b>		
<del>a) — Since compliance with the federal Section 10(a) permit and Agreement With Respect to the San Bruno Mountain Area Habitat Conservation Plan and compliance with other conditions is critical, the number of residential dwelling units shown on the application for the vesting tentative subdivision map is approved subject to the requirement that all conditions of the map are complied with. If compliance with conditions of the map (including, but not limited to, the conditions for compliance with the federal Section 10(a) permit and Agreement With Respect to the San Bruno Mountain Area Habitat Conservation Plan) requires reduction in the number of dwelling units or relocation of dwelling units, then such reduction or relocation shall be required in preference to modifying such conditions. The City staff is not authorized to modify any conditions of approval in preference to requiring a reduction in the number of dwelling units or relocation of dwelling units.</del>	Completed for Unit I	Not Applicable - HPC Amendment has been issued for number of units shown on 2007 Tentative Map
a) Approval of the project (the 2007 vesting tentative subdivision map, and the permits) is subject to the applicant's compliance with <i>all of these 2009 Annotated Conditions of Approval document included as an attachment to staff report</i> If such <i>any of these</i> conditions conflict with provisions of the application or with any plans or drawings submitted by the applicant, the applicant shall comply with the conditions instead of complying with the conflicting provisions of the application, plans or drawings. Wherever a condition contains the phrase "subject to the approval of" or "shall be approved by", no work on the matter to be approved shall occur until after the required approval has been given. For example, if plans are to be submitted "subject to approval of the City Engineer," no work shall occur pursuant to such plans until the City Engineer has approved them in writing.	Completed for Unit I	Continued for Unit II, as Amended
b) Prior to Final Map Approval, the applicant, in its application for a Final Subdivision Public Report issued by the California Department of Real Estate for the property, shall request that the Department of Real Estate insert the following note in the final Subdivision Public Report, and require all buyers of lots within the subdivision to sign a document containing the note below that states	Completed for Unit I	Continued for Unit II

<p>they have read and understand it:</p> <p>"The subject property is located near Pacific Gas and Electric and the City of San Francisco high-voltage electric transmission lines. Purchasers should be aware that there is ongoing research on possible potential adverse health effects caused by the exposure to a magnetic field generated by high voltage lines. Although much more research is needed before the question of whether magnetic fields actually cause adverse health effects can be resolved, the basis for such an hypothesis is established. At this time no risk assessment has been made."</p> <p>"Purchasers should be aware of the risk that certain pacemaker heart implant devices may not operate properly within transmission line right-of-ways. The susceptibility of the different types of pacemakers to electromagnetic interference should be discussed with a physician."</p>		
<p><del>d) — Prior to any Final Map Approval, the applicant shall have the electric and magnetic fields measured between the existing transmission lines at one of the proposed lots that would receive the highest exposure to such fields, as approved by the Planning Director. The measurements shall be coordinated with PG&amp;E to occur during times of normal load usage and shall be conducted with calibrated instruments by a qualified firm or person. This data shall be transmitted to the City of Brisbane, California Public Utilities Commission and Pacific Gas and Electric Company.</del></p> <p><del>— Prior to the issuance of each occupancy permit in Neighborhood 1 North and South, the applicant shall determine if the Department of Health Services, or a reasonable number of local jurisdictions approving subdivisions adjacent to electrical transmission towers, have established additional methods of notification and/or measurement for residences adjacent to electrical transmission towers. If such methods have been established, the applicant shall comply with them as recommended and approved by the Planning Director.</del></p> <p><del>— Prior to the issuance of each building permit in Neighborhood 1 North and South, if DHS has determined that there is an adverse impact caused by measurable electrical transmissions, the applicant shall comply with any mitigation measures or regulations that are established by DHS with respect to residential construction.</del></p>	<p>Completed for Unit I</p>	<p>Not Applicable for Unit II</p>
<p><del>e) — City staff will determine on an annual basis whether governmental assistance programs are available to assist moderate-income families purchase a home. Prior to any Final Map Approval, the developer shall provide an affordable housing proposal (with information on whether governmental assistance programs are available and applicable to the units under consideration and provides for annual review of the proposal) for Council review and approval. If such programs are available and applicable, inclusion of those</del></p>	<p>Completed for Unit I</p>	<p>Not Applicable for Unit II</p>

programs for up to 20 percent of the units for which the Final Map applies will be a condition of approval of the Final Map.		
<del>ƒ) c) Prior to issuance of any grading or building permit, whichever is earlier, any construction trailer shall be approved as to appearance, size and location by the Planning Director. If on-site security is desired, applicant shall submit a proposal/plan for review and approval by the Planning Director, prior to the issuance of a grading or building permit, whichever is earlier.</del>	Completed for Unit I	Continued for Unit II
<del>g) d) Prior to any Final Map Approval or issuance of any Grading Permit, whichever occurs first, the applicant shall submit a schedule of development for review and approval by the Planning Director. Modifications to this schedule are subject to review of the Planning Director. Any modification shall include types of units, with respect to price range, proportional to that approved in the original schedule. Schedule shall be in accord with Condition A.I.j.</del>	Completed for Unit I	Continued for Unit II, as Amended
<del>h) Prior to any Final Map Approval or issuance of Grading Permit, whichever occurs first, the plans for parking and landscaping areas shall be approved by the Planning Director and City Engineer. The areas shall incorporate Handicap parking stalls and compact parking stalls in accordance with the requirements of Title 24 and the Brisbane Zoning Ordinance, respectively. Parking shall be provided at a minimum of 2.6 spaces per unit within Neighborhood 3. Any program for allocating specific spaces to specific units shall be reviewed and approved by the Planning Director prior to Final Map Approval.</del>	Completed for Unit I	Not Applicable for Unit II
<del>i) Prior to any Final Map Approval the following programs, plans and designs shall be reviewed and approved by the Planning Commission:</del>	Completed for Unit I	Not Applicable for Unit II
<del>1. a fencing program for Neighborhood 2;</del>		
<del>2. a sign program;</del>	Completed for Unit I	Not Applicable for Unit II
<del>3. an additional materials and colors program consisting of the following minimum elements:</del>	Completed for Unit I	Not Applicable for Unit II
<del>a) three (3) additional roof materials;</del>		
<del>b) five (5) additional wood exterior materials for all of the Neighborhoods with four (4) masonry accents;</del>	Completed for Unit I	Not Applicable for Unit II
<del>e) a color palette program (adding a minimum of 14 colors to both Neighborhood 1 and Neighborhood 3 (deleting white, off-white, or very light colors as main colors);</del>	Completed for Unit I	Not Applicable for Unit II
<del>4. a design program for any monuments and walls (that are designed to blend in with the natural environment);</del>	Completed for Unit I	Not Applicable for Unit II
<del>5. a program to provide for a variety of design and colors of garage doors in Neighborhoods 1 and 2;</del>	Completed for Unit I	Not Applicable for Unit II
<del>6. The design of the bridges and balcony railings in-</del>	Completed for	Not Applicable

Neighborhood 3;	Unit I	for Unit II
<del>7. One additional floor plan with four elevations (for a minimum of 15% of the total units in the Neighborhood) not to exceed 2100 square feet and three (3) additional elevations for each plan in Neighborhood 2;</del>	Completed for Unit I	Not Applicable for Unit II
8. <del>landscaping plans for</del>	Completed for Unit I	Not Applicable for Unit II
a) <del>the project entries (no large water elements will be approved</del>	Completed for Unit I	Not Applicable for Unit II
b) <del>landscaping plans for screening and hydroseeding of the 10-acre site adjacent to Guadalupe Parkway (to include large trees)</del>	Completed for Unit I	Not Applicable for Unit II
e) <del>landscaping plans for screening of residential stem walls which exceed 6' in height;</del>	Completed for Unit I	Not Applicable for Unit II
9. <del>design, architectural treatment and accessibility of joint-mailboxes (in any neighborhood) and trash enclosures in Neighborhood 3;</del>	Completed for Unit I	Not Applicable for Unit II
10. <del>locations for drop-off mailboxes (accessible for vehicles) within each neighborhood</del>	Completed for Unit I	Not Applicable for Unit II
11. <del>design solution for parking lot and landscaping, tot lots, etc. within Neighborhood Three</del>	Completed for Unit I	Not Applicable for Unit II
j) e) Minor modifications in any of the approved plans may be approved by the Planning Director. The Planning Director's authority under this section shall be exercised consistently with the requirement that if compliance with conditions of the map (including, but not limited to, the conditions for compliance with the federal Section 10(a) permit and Agreement With Respect to the San Bruno Mountain Area Habitat Conservation Plan) requires reduction in the number of dwelling units or relocation of dwelling units, then such reduction or relocation shall be required in preference to modifying such conditions. The City Planning Director is not authorized to modify any conditions of approval in preference to requiring a reduction in the number of dwelling units or relocation of dwelling units.	Completed for Unit I	Continued for Unit II
k) f) Prior to the issuance of building permits, the applicant shall submit Covenants, Conditions and Restrictions (CC&R's) to the City Attorney and Planning Director for review and approval. The CC&R's shall be written so that sections involving conditions of this staff report shall not be subject to amendment without the approval of the City, and shall contain appropriate provisions establishing the interests of the City and providing for enforcement of any provisions required by the City. The CC&Rs shall include provisions for maintenance of all private drives, emergency access roads, landscaping, utilities, recreational facilities, common areas, walls/fences and parking restrictions and require a professional management organization for each homeowners' association. <i>The CC&amp;R's shall also provide for payment of HCP assessments in accordance with the amended HCP Agreement.</i>	Completed for Unit I	Continued for Unit II, as Amended
l) <del>Prior to the issuance of building permits, the applicant shall</del>	Completed for	Not Applicable

<p>submit to the City Attorney and the Planning Director, for review and approval, the instrument reserving in perpetuity any private park. Prior to the issuance of any certificates of occupancy, the applicant shall submit to the Planning Director, the recorded instrument reserving the private park land within the development.</p>	Unit I	for Unit II
<p>m) g) Prior to the issuance of any building permits, the applicant shall submit to the Planning Director a certificate of compliance from the appropriate local unified school district demonstrating that any school facility fee requirements have been satisfied or waived per California Education Code Section 53080a.</p>	Completed for Unit I	Continued for Unit II
<p>n) h) The conditional use permit, the planned development permit, and the design permits shall all expire, or be extended, concurrently with expiration, or extension, of <del>any final</del> the 2007 Vesting Tentative Map.</p>	Completed for Unit I	Continued for Unit II, as amended
<p>o) i) Prior to issuance of an occupancy permit, <i>if required by the City</i>, 35mm microfilm of the building plans for each unit and/or building, as approved by the Planning Director, in 4" x 6" jackets shall be submitted to the Planning and Building Department for its records.</p>	Completed for Unit I	Continued for Unit II, as Amended
<p>p) j) Prior to the issuance of a grading permit, the applicant shall provide written evidence to the Planning Director that a qualified archaeologist has been notified and retained to be on-site, <i>if required</i> by the Planning Director, during grading and other significant ground-disturbing activity. If cultural or scientific features are discovered, work shall be stopped and the archaeologist shall report such findings to the project developer and to the Planning Director. If the cultural or scientific features are found to be significant, the archaeologist shall determine in an expeditious manner appropriate actions, in cooperation with the project developer, which insure that the resources will not be destroyed before exploration and/or salvage subject to the approval of the Planning Director. Work may only begin again with the approval of the Planning Director.</p>	Completed for Unit I	Continued for Unit II, as Amended
<p>q) k) Concurrent with recording the CC&amp;Rs, the applicant shall record a statement which provides the information set forth below, such that the recorded notice will appear on each title report as each lot is sold. In addition, the CC&amp;Rs shall contain a provision which requires the Homeowners Association and each owner to provide a copy of the statement to each tenant prior to execution of a rental agreement, or prior to the tenant's occupancy, whichever occurs first. The applicant shall also provide a copy of the statement to each purchaser prior to execution of any sale documents. The statement shall be submitted to the Planning Director for review and approval prior to issuance of the first building permit. The statement shall contain the following information and shall be based on the most current information available.</p> <p>1. A statement of noise and aircraft activity to be recorded</p>	Completed for Unit I	Continued for Unit II



separate from the deed, including but not limited to: i) The location of aircraft flight paths over or in the vicinity of the project.		
ii) The distance of the project from the runways and proposed truck routes in the vicinity.	Completed for Unit I	Continued for Unit II
iii) The probable frequency estimated decibel levels attributable to each noise source and general hours of both visual and audible impacts of aircraft and proposed truck traffic.	Completed for Unit I	Continued for Unit II
iv) The type of flight and proposed truck activity causing impact.	Completed for Unit I	Continued for Unit II
2. A statement containing a comprehensive description of all private and public improvements and developments adjacent to or in close proximity to the project, including but not limited to:  a) The location of and type of amenities provided within existing and proposed parks.	Completed for Unit I	Continued for Unit II
b) The existing and proposed pedestrian trails.	Completed for Unit I	Continued for Unit II
c) Streets with parking restrictions.	Completed for Unit I	Continued for Unit II
3. A statement concerning schools, including but not limited to:  a) The location of the elementary, middle, and high schools which will serve the project (text and map).	Completed for Unit I	Continued for Unit II
b) The type and provider of transportation available to transport the students to the schools sites and to provide general transportation.	Completed for Unit I	Continued for Unit II
c) The estimated opening date of any new schools proposed to be constructed or any revisions to student capacity in existing schools within the project's attendance boundaries.	Completed for Unit I	Continued for Unit II
d) A statement that all proposed school locations are within the control of the school district and are subject to change.	Completed for Unit I	Continued for Unit II
⊕ l) Prior to issuance of any building or grading permit, Final Map and occupancy permit, the applicant shall submit two (2) sets of the mitigation measures, annotated with information relating to their compliance. The applicant shall comply with all of the <i>applicable</i> mitigation measures <del>listed on Exhibit "C"</del> <i>set forth in the Environmental Impact Report for the project and the Addenda thereto</i> . In addition, during project construction, the applicant shall submit an annual report regarding compliance with the mitigation measures each August.	Completed for Unit I	Continued for Unit II, as Amended
⊕ m) Prior to issuance of any building or grading permit or group of such permits, Final Map, and occupancy permit, the applicant shall submit two (2) sets of these conditions, <del>Exhibit "B"</del> , annotated with information explaining how each condition has been or will be satisfied, or that it is not applicable at the time.	Completed for Unit I	Continued for Unit II
⊕ n) Prior to approval of any Final Map, the Planning Commission	Completed for	Continued for

shall recommend approval of the street names to the City Council.	Unit I	Unit II
<del>u) o) Construction shall be allowed only between the hours of 7:00 a.m. and 7:00 p.m. on weekdays and 9:00 am. to 7:00 p.m. on Saturdays. Special approval shall be required from the Planning Director for grading on Sundays and holidays. Construction equipment shall meet the noise standards set forth in Ordinance No. 332 Section 8.28.060 of the Brisbane Municipal Code.</del>	Completed for Unit I	Continued for Unit II, as Amended
<del>v) — Prior to approval of any Final Map, bus shelters shall be provided as required by the City Engineer.</del>	Completed for Unit I	Not Applicable for Unit II
<del>w) p) Prior to issuance of the building permits, plans for buildings shall be submitted which are designed to meet all requirements of the 1985 Uniform Building Code, or latest edition of the Uniform Building Codes in effect in the City of Brisbane at the time building permits are issued, and Title 24 of the California Code of Regulations, and such plans are subject to the approval of the City Engineer and Building Official.</del>	Completed for Unit I	Revised and Continued for Unit II
<del>x) — Prior to approval of any Final Map, the applicant shall agree to participate in a study of the project's impacts on the Brisbane Lagoon and to provide a pro-rata share of the funding (between the Applicant and the owner of the Brisbane quarry lands), as determined by the City Engineer, required for the necessary improvements to the lagoon in a form approved by the City Attorney.</del>	Completed for Unit I	Not Applicable for Unit II
<del>y) q) Dollar amounts mentioned herein shall represent the dollar value as of July 1, 1989, unless otherwise designated. Amounts contributed by the Applicant shall be indexed by the San Francisco/Oakland/San Jose Consumer Price Index for all urban consumers.</del>	Completed for Unit I	Continued for Unit II
<del>z) — Prior to the issuance of the first occupancy permit the applicant shall deposit funds in the amount of \$100,000 with the City to be utilized to underwrite the costs to provide school age child care on sites approved by the City Council.</del>	Completed for Unit I	Not Applicable for Unit II
<del>aa) r) Prior to issuance of the first occupancy permit The applicant shall provide a copy of the community information packet to all new residents. deposit funds in the amount of \$10,000 with the City to be utilized to cover the costs for writing, designing and printing a community information packet to be distributed to all new residents.</del>	Completed for Unit I	Continued for Unit II, as Amended
<del>bb) s) Within 60 days of any final action of approval of this project, the applicant shall submit revised sets of plans in accordance with the approval. These documents shall be reviewed and approved by the Planning Director in writing and shall become the approved set of plans kept on file at City Hall.</del>	Completed for Unit I	Continued for Unit II
<del>cc) — An option shall be available to convert a minimum of 135 of the units for handicapped access.</del>	Completed for Unit I	Not Applicable for Unit II
<del>dd) — The double loaded alternative street plan is approved (and shall include pedestrian walkways similar to that shown in the single loaded alternative).</del>	Completed for Unit I	Not Applicable for Unit II

<p>ee)†) Prior to issuance of any Grading Permit, the applicant shall submit a letter of recommendation from the San Mateo County Health Department, regarding the control of rodents prior to and during grading. Applicant shall comply with any recommendations prior to issuance of the Grading Permit.</p> <p>Prior to submission of any building permits, the applicant shall submit a program for rodent-proofing the residences approved by the San Mateo County Department of Health. Building plans shall comply with the program.</p>	Completed for Unit I	Continued for Unit II
<p><del>ff) — Prior to issuance of any building permits, the applicant shall submit a fireplace program that will provide maximum reasonable control of fireplace emissions for review and approval of the Planning Director.</del></p>	Completed for Unit I	Not Applicable for Unit II
<p><del>gg) — Any deed to the Brisbane School District shall include a provision which grants to the City of Brisbane the right to acquire the property, if and when declared surplus to the District's needs, at no cost to the City except as stated in the Specific Plan.</del></p>	Completed for Unit I	Not Applicable for Unit II
<p><del>hh) — Prior to final map approval, the applicant shall deposit \$200,000 in cash with the City to be used for parking and other improvements required in Central Brisbane to mitigate the impacts of residents of the Northeast Ridge.</del></p>	Completed for Unit I	Not Applicable for Unit II
<p><del>ii) — Prior to any Final Map Approval or issuance of any grading permit, whichever occurs first, the wall heights shall be reduced on the roadway between Neighborhood One north and south as approved by the Planning Commission in a review of the feasible design alternatives (including consideration of split level streets).</del></p>	Completed for Unit I	Not Applicable for Unit II
<p><del>jj) — Prior to the effective date of this approval, applicant shall enter into the option agreement to allow no grading or physical work on the project for 165 days from November 6, 1989 (until April 21, 1990), as agreed by the Applicant at the City Council hearing on November 6, 1989.</del></p>	Completed for Unit I	Not Applicable for Unit II
<p><b>II. HABITAT CONSERVATION PLAN</b></p>		
<p>Note: Approvals for the applications for a vesting tentative subdivisions map, grading permits, a design permit, a conditional use permit for the condominium project, and a planned development permit, and a rezoning are all subject to the following conditions. The words used in these conditions are used as defined in the Agreement with Respect to the San Bruno Mountain Area Habitat Conservation Plan.</p>		
<p>a) The landowner/applicant shall comply with all of the terms and conditions of the permit No. PRT 2-9818 issued by the U.S. Fish and Wildlife Service to the City of Brisbane (and to the cities of Daly City and South San Francisco and to the County of San Mateo) on March 4, 1983, authorizing the taking of endangered species pursuant to Section 10 of the Endangered Species Act (16 U.S.C. Section</p>	Completed for Unit I	Continued for Unit II, as Amended

<p>1531, et seq.), <i>as amended and changed to Permit No. TE215574-5 by Amendment dated May 28, 2009</i> ("Section 10 (a) permit"), and with all of the terms and conditions of the Agreement With Respect To The San Bruno Mountain Area Habitat Conservation Plan ("HCP Agreement"), which was signed by the City of Brisbane on November 15, 1982 and by the U.S. Fish and Wildlife Service on March 12, 1983, <i>as amended to support ITP 215574-5</i>. The HCP Agreement was recorded by the San Mateo County Recorder as document 83026343 on March 22, 1983.</p>		
<p>b) All terms and conditions of the Section 10(a) permit and the HCP Agreement, to the extent that they apply to the Northeast Ridge Project, shall be complied with, regardless of whether the conditions of approval of each permit list each applicable term and condition.</p>	<p>Completed for Unit I</p>	<p>Continued for Unit II</p>
<p><del>e) Approval of each application is conditioned upon amendment of the Section 10(a) permit (in accordance with the amendment provisions of the Section 10(a) permit and Agreement) so that the applications do comply with all of the requirements, terms and conditions of the Section 10(a) permit and Agreement as approved by U.S. Fish and Wildlife Service and the Cities of Brisbane, Daly City and South San Francisco. This condition will not be removed until the Section 10(a) permit has been amended and the City of Brisbane has found (pursuant to the Agreement) that the applications comply with the permit, as amended, including relocated transmission lines, if applicable.</del></p>	<p>Completed for Unit I</p>	<p>No longer applicable – HCP Amendment has been issued</p>
<p>c) Temporary access to portions of any Developable Administrative Parcel which are to become Conserved Habitat shall be provided by the Landowner/Applicant to the Plan Operator in order to permit the Plan Operator to monitor plan compliance and to develop plans for the protection, operation and enhancement of the Conserved Habitat upon reasonable terms and conditions (including waivers of liability, insurance, etc.) and to conduct any activity consistent with the <i>HCP Agreement</i>.</p>	<p>Completed for Unit I</p>	<p>Continued for Unit II</p>
<p>d) The landowner/applicant shall participate in the funding program set forth in the <i>HCP Agreement and in these conditions</i> and as approved by the Plan Operator. ( <i>See Section C- II(k)</i> )</p>	<p>Completed for Unit I</p>	<p>Continued for Unit II as Amended</p>
<p>e) Activities authorized by the Section 10(a) permit and the <i>HCP Agreement</i> shall be exercised under the direct supervision of the City of Brisbane.</p>	<p>Completed for Unit I</p>	<p>Continued for Unit II</p>
<p>f) Prior to issuance of any permit, plans shall be submitted for review and approval which allow no construction or conversion to urban uses in the area designated 1-07-04 on Figure 1-07 C on page VII - 64 of the Habitat Conservation Plan <del>(as amended, if amended)</del>. <i>as amended by the 2007 Vesting Tentative Map.</i></p>	<p>Completed for Unit I</p>	<p>Continued for Unit II as Amended</p>
<p>g) <i>After approval of a final map</i>, prior to approval of any change in the boundary area for Parcel 1-07-04 of the HCP, shown on Figure 1-07, the adjustment shall be reviewed and approved by the City to</p>	<p>Completed for Unit I</p>	<p>Continued for Unit II as Amended</p>

<p>insure that the adjustment is not more than thirty (30) feet from the line shown on Figure 1-07 C and that the total area increased as a result of such adjustment does not exceed five (5%) percent of the total Conserved Habitat in this Administrative Parcel, as provided in the HCP.</p>		
<p><del>i) The incidental takings under the Section 10(a) permit shall be performed by a private entity under the direct control of the City of Brisbane, as set forth in the Agreement.</del></p>		<p>Condition is unclear since the County is also authorized to perform incidental takings as part of the HCP maintenance.</p>
<p>h) Prior to issuance of any grading permit or the approval of any Final Map, whichever occurs first, the landowner/applicant shall offer for dedication to the County of San Mateo, in phases (at the option of the landowner) <i>consistent with the area covered by each Final Map, the additional undisturbed Open Space (as described in the 2007 Vesting Tentative Map and 2007 Addendum to the FEIR)</i> and the Conserved Habitat. <del>(which shall equal 135.3 acres), as shown in Chapter VII (page 70) of the Habitat Conservation Plan, as amended (if amended).</del> Title shall be dedicated in fee to the County. The land shall be dedicated subject to the conditions of the Habitat Conservation Plan and shall also be dedicated subject to the condition that if the restrictions of the Habitat Conservation Plan ever end, then the land shall be kept in open space unless another use is approved by the voters of the City of Brisbane. The form and substance of the latter restriction shall be submitted to the City Attorney for review and approval prior to issuance of any grading permit or the approval of any Final Map, whichever occurs first.</p>	<p>Completed for Unit I</p>	<p>Continued for Unit II, as Amended</p>
<p>i) Prior to approval of any Final Map, the landowner/applicant shall submit a covenant for approval and for recordation concurrently with the Final Map, with respect to each Development Area, burdening and running with the land in favor of the City of Brisbane in substantially the form set forth on page 16 of the <i>HCP Agreement</i>. The landowner/applicant shall also covenant in favor of the City of Brisbane and the County of San Mateo to establish and maintain a buffer area of thirty (30) feet in width <i>adjacent to each construction phase</i>, or an alternate fire system and buffer area subject to the approval of the City Fire Marshal, to protect urban uses with the Development Areas from fire. The covenant shall provide that <i>the applicant/landowner shall be responsible for removal of wooded vegetation within the these buffer areas shall be maintained by until such maintenance responsibility is assumed by the Homeowners</i></p>	<p>Completed for Unit I</p>	<p>Continued for Unit II, as Amended</p>

Association.		
<del>l) Prior to any Final Map approval or issuance of any Grading Permit, whichever occurs first, the equivalent exchange agreement shall be executed.</del>	Completed for Unit I	Not Applicable for Unit II
m)j) Prior to acceptance of the dedication and maintenance responsibility by the County of San Mateo, the applicant shall be responsible for all maintenance within the conserved Habitat Area (all that area outside the proposed development and associated improvements).	Completed for Unit I	Continued for Unit II
<del>n)k) Prior to dedication of conserved habitat, and concurrently with the recordation of the final subdivision maps creating lots for sale to the public, the Landowner shall record a covenant in the form attached as Exhibit G to the Habitat Conservation Plan or contained in an amendment to the recorded CC&amp;R's, which requires that each homeowner pay an annual assessment of \$20.00 to the Habitat Conservation Trust Fund). In addition, at the same time, the Landowner shall record a covenant which provides that each homeowner shall pay an additional annual assessment in order to provide that the total amount of annual funding from the Northeast Ridge for the San Bruno Mountain Area Habitat Conservation Plan Trust Fund is at least \$25,000.00 (in 1983 dollars, adjusted as set forth in HCP Exhibit G). This additional covenant shall be in substantially the same form as Exhibit G, and contain substantially the same rights and obligations as are contained in Exhibit G, with the Habitat Conservation Trust having the same basic authority to enforce the covenant. The additional assessment (in 1983 dollars) shall be calculated as follows:  <del>————— (\$25,000.00/Y — \$20.00. Y = the number of dwelling units authorized in vesting tentative subdivision map. (For example, if 589 dwelling units are approved, then the additional assessment is (\$25,000/589 — \$20.00, or \$22.44). The annual assessment for each lot in Unit I was originally established at \$20 in 1983 dollars, adjusted each year thereafter based upon the percentage increase in the Employment Cost Index-West Region, published by the United States Department of Labor, Bureau of Labor Statistics ("Index"). The annual assessment for the 17 lots in Unit II approved as part of Unit I and the remaining 71 lots in Unit II shall be \$800 in 2005 dollars, a portion of which equal to the same assessment charged to the Unit I property owners being subject to adjustment each year thereafter based upon the percentage increase in the Index. The additional covenant shall be subject to the approval of the City Attorney as to form and substance.</del></del>	Completed for Unit I	Continued for Unit II as Amended
<del>l) The applicant shall contribute the maximum sum of \$4,000,000 to the trustees of the Habitat Conservation Plan as an endowment fund for the preservation and maintenance of the San Bruno Mountain Habitat Conservation Plan area. The total endowment contribution</del>	Not applicable to Unit I	New condition for Unit II

<p><i>shall be allocated equally to each of the 71 lots in Unit II and the 17 lots previously approved as part of Unit I, resulting in an allocation of \$45,455 for each lot. The contributions for the HCP endowment shall be paid in accordance with the terms of an amendment to the Subdivision Improvement Agreement to be executed between the developer and the City prior to any approval of a final map for Unit II.</i></p>		
<p><del>o) — Prior to issuance of the first grading permit for the Northeast Ridge project (HCP Administrative Parcel 1-07) the landowner/applicant shall offer for dedication the 19-acre parcel (APN 090-090-250, 050-260-180, 005-260-370, HCP Administrative Parcel 1-08-01) to the County as Conserved Habitat. Title shall be dedicated in fee to the County.</del></p>	<p>Completed for Unit I</p>	<p>Not Applicable for Unit II</p>
<p><b>III. HCP GRADING PERMIT CONDITIONS</b></p>		
<p>a) Prior to issuance of any grading permit, the landowner/applicant shall prepare a <del>Reclamation Plan (Revegetation-Restoration Plan)</del> for the Reclaimed Habitat Area and contract for an inspector as follows: No grading shall occur until the <del>Reclamation-Restoration Plan</del> has been approved by the City of Brisbane, in consultation with the Plan Operator. The <del>Restoration Plan</del> shall provide for runoff controls, reclamation, quality, placement and type of replacement vegetation, and adequate bonding to secure proper performance. The landowner/applicant shall, in carrying out the <del>Restoration Plan</del> for Administrative Parcel 1-07, contract for an inspector acting for the County as Plan Operator to monitor grading and revegetation activities through completion of the reclamation activities and acceptance of the offer of dedication.</p>	<p>Completed for Unit I</p>	<p>Continued for Unit II, as Amended</p>
<p>b) Prior to the issuance of any grading permit, plans shall be submitted which provide that no grading shall occur within the Conserved Habitat other than in specifically designated Reclaimed Habitat areas.</p>	<p>Completed for Unit I</p>	<p>Continued for Unit II</p>
<p><del>e) — Prior to the issuance of a grading permit, the landowner/applicant shall submit a signed statement acknowledging that grading in the Preserved Habitat may be a crime. The statement shall be substantially in the form set forth at page 15 of the Agreement.</del></p>	<p>Completed for Unit I</p>	<p>Not Applicable for Unit II</p>
<p><del>d) c) Prior to the issuance of any grading permit, plans shall be submitted for review and approval which provide that there shall be no grading within 300 feet of any point on a boundary of the Conserved Habitat which is required to be fenced, until, (1) fences (snow or two strand wire fencing or other methods) shall be erected on the boundary of the Conserved Habitat between temporarily disturbed areas and undisturbed areas for a reasonable distance (including fencing of eucalyptus trees that are to be retained) as shown in Figure 1-07 H and J in Chapter VII of the HCP and as amended by the 2007 Vesting Tentative Map, (2) a pre-grading</del></p>	<p>Completed for Unit I</p>	<p>Continued for Unit II as Amended</p>

conference shall be held, attended by the contractor, the developer, the grading foremen, the heavy equipment operators, the Habitat Manager, and a representative of the City of Brisbane, to explain the prohibition against grading beyond fenced areas, and (3) a sign shall be posted on the fence every 100 feet which shall state that grading beyond the fence is not permitted and may result in the imposition of criminal penalties (Such statement shall be in the language set forth on page 16 of the <i>HCP Agreement</i> ).		
<del>e) — Prior to the issuance of any grading permit, the landowner/applicant and the grading contractor shall sign a written agreement to comply with the Section 10(a) permit and Agreement, in the form set forth in Exhibit P. to the Agreement.</del>	Completed for Unit I	Not Applicable for Unit II
<del>f) — Prior to the issuance of any grading permit, plans shall be submitted for review and approval which provide that not more than one phase per year shall be graded. Phases are shown on Figure 1-07-G of Chapter VII (page VII-68) of the HCP.</del>	Completed for Unit I	Not Applicable for Unit II
g) <i>d) Prior to issuance of any grading permit which permits grading within 200 feet of Conserved Habitat, the landowner/applicant shall post a bond in favor of the City of Brisbane, the San Bruno Mountain Area Habitat Conservation Trust Fund, and the Plan Operator, securing performance of the obligations set forth on page 31 of the HCP Agreement. The bond shall be no less than \$25,000.00 per acre of Conserved Habitat, other than areas constituting Reclaimed Habitat, that occurs within 200 feet of any area that is to be graded.</i>	Completed for Unit I	Continued for Unit II
<del>h) Prior to the issuance of any grading permit, the City shall make a finding as to whether the grading permit application is consistent with the HCP as amended.</del>	Completed for Unit I	This finding has already been made.
<i>e) Grading shall be conducted during the nonbreeding season for most special-status birds (generally September to February). If construction is scheduled or vegetation management activities are scheduled to occur during the breeding season for special-status and non-special status migratory birds and raptors (generally March to August), a qualified wildlife biologist shall be retained to conduct focused nesting surveys in appropriate habitat prior to the start of construction or vegetation management. The nesting surveys will be conducted 15 days prior to initiation of construction or vegetation management activities that will occur in suitable habitat between March 1 and August 15. If no active nests are detected during these surveys, no additional mitigation is required. If surveys indicate that special-status bird nests are found in any areas that would be directly affected by construction or vegetation management activities, a no-disturbance buffer will be established around the site to avoid disturbance or destruction of the nest site until after the breeding season or after a qualified biologist determines that the young have fledged (usually late June to mid-July). The extent of these buffers</i>		New Condition per Findings and Recommendation of U.S. Fish & Wildlife Service



<p><i>will be determined by the biologist (coordinating with the U.S. Fish &amp; Wildlife Service) and will depend on the level of noise or construction disturbance, line of sight between the nest and the disturbance, and ambient levels.</i></p>		
<p><b>IV. ARCHITECTURE/DESIGN/LANDSCAPING</b></p>		
<p>a) Prior to issuance of applicable building permits, any additional elevations or architectural revisions and additional colors and materials shall be reviewed by the Planning Director to determine Commission for approval in accordance with the design concepts summarized in the staff report and conformance with previously approved guidelines presented to adopted by the Planning Commission. <del>on August 9, 1989 December 11, 2003 and January 8, 2004.</del> All approved or required changes shall be incorporated into the design or landscaping of the homes.</p>	<p>Completed for Unit I</p>	<p>Continued for Unit II, as Amended</p>
<p>b) Prior to issuance of any building permits, the applicant shall retain a certified acoustical engineer to determine house design and construction standards (e.g. sound-rated windows, acoustically rated walls and ceilings, etc.) to achieve interior noise attenuation levels not to exceed 50 dBA for bedrooms and 55 dBA for the remainder of the house with concern for both aircraft and truck traffic noise. Certification of compliance with these standards shall be submitted with each building permit application and such compliance is subject to review and approval of the City Engineer.</p>	<p>Completed for Unit I</p>	<p>Continued for Unit II</p>
<p>c) Prior to issuance of building permits the plans shall be reviewed for compliance with Title 24 of the California Code of Regulations and a statement shall be submitted by the applicant demonstrating to the extent feasible that the homes provide for future passive or natural heating or cooling opportunities and noting additional solar and energy conservation measures, including a concentration of the glazing and provision of overhangs on south facing elevations, for review and approval by the Planning Director. Building plans shall include provisions for stubbing out for solar collectors. High efficiency heating equipment and high performance glazing are required for each residential unit.</p> <p>Prior to issuance of building permits, the locations and screening of A.C. pad and gas and electrical meter locations shall be reviewed and approved by the Planning Director.</p>	<p>Completed for Unit I</p>	<p>Continued for Unit II</p>
<p><del>d) — Prior to any Final Map Approval, the plans shall be revised to (1) reduce building #23 in Neighborhood 1 to a three module structure while increasing the module for building #21 or #22 to a three module structure, (2) reverse or substitute with another building composite Buildings #43 and #44 in Neighborhood 1 so that no two similar structures are located adjacent to one another, (3) pull back the upper floor of Floor Plan #3 in Neighborhood 2 from the edge of the structure, creating a roof structure which better conforms to the slope of the hillside, and (4) place the two story element for Building</del></p>	<p>Completed for Unit I</p>	<p>Not Applicable for Unit II</p>

<p>A, Neighborhood 3, at the corner of the building as proposed in the "Selective Drop" alternatives (Exhibit "M")(with no reduction of the 104 low-moderate-income housing units), (5) provide elevation splits in the buildings in Neighborhood 3 as much as possible, (6) reduce any flues to conform with the minimum standards of the Uniform Building Code and (7) provide offices (300 sq. feet minimum) for the homeowner's associations for Neighborhoods 1 and 3. These revisions shall be submitted for review and approval of the Planning Director.</p>		
<p>e) — Prior to issuance of any grading permit, a grading plan shall be submitted which (1) provides a maximum possible grade change between clusters in Neighborhood 3 and the required parking spaces and landscaping for Neighborhood 3 (including appropriate space for lot lots in each building cluster, 20' x 20' minimum), (2) relocates or deletes parking spaces in two of the entrances in the area to the south of the public street immediately in front of the access points with landscaped pockets, (The landscaped pockets being provided would permit distant views), (3) relocates the 8 units near the ridgeline in Neighborhood 1 North to Neighborhood 1 South, or other locations in Neighborhood 1 as approved by the Planning Director, and one or two units in Neighborhood 2, as approved by the Planning Director, as proposed by the applicant in Exhibit "F", and (4) provides the maximum practical undulation of streets in Neighborhood 1, as approved by the Planning Director and City Engineer.</p>	<p>Completed for Unit I</p>	<p>Not Applicable for Unit II</p>
<p>f) d) Prior to issuance of any Grading Permit or Final Map Approval, whichever comes first, plans shall be submitted for review and approval of the Planning Director to provide that <i>retaining</i> walls exceeding 4' in height shall be separated into a series of smaller walls or be of crib design, except as required to meet geotechnical criteria and as approved by the Planning Director.</p>	<p>Completed for Unit I</p>	<p>Continued for Unit II, as Amended</p>
<p>g) — Prior to issuance of any building permits, plans shall be submitted for review and approval of the Planning Director which provide that structures conform with the Planned Development Permit and Design Permit. The buildings in Neighborhood 1 shall not exceed 35', except 14.6% may reach 38' in height, spread throughout the Neighborhood as approved by the Planning Director prior to issuance of the first building permit. The buildings in Neighborhood 2 shall not exceed 35' in height, except that 8.2% may be between 35' and 38' in height and 16.5% may be between 38' and 40' in height spread throughout the Neighborhood as approved by the Planning Director prior to issuance of the first building permit. The height of the units in Neighborhood 3 shall not exceed 40'.</p>	<p>Completed for Unit I</p>	<p>Not Applicable for Unit II</p>
<p>h) e) Prior to any Final Map Approval, the applicant shall submit draft CC&amp;R's, or documentation subject to City approval showing that the existing CC&amp;R's for Unit I shall also be applicable to Unit II, which shall be subject to City approval and shall include the</p>	<p>Completed for Unit I</p>	<p>Continued for Unit II</p>

following: 1. A landscaping program which establishes the minimum level of horticultural training of personnel and the quality, frequency and types of landscape maintenance required and a program for future planting, thinning and/or removal of landscape plants.		
2. A requirement that each Homeowners' Association shall employ a professional management consultant to administer the landscape maintenance contract and oversee the implementation of the contract. <i>The consultant shall adhere to the landscaping criteria established for Landmark I.</i> The City shall be empowered to provide needed maintenance if required maintenance is not accomplished and to place a lien against the property within the Project to recover all City costs in enforcing and conducting such maintenance.	Completed for Unit I	Continued for Unit II, as Amended
3. A section which prohibits long term parking of large and recreational vehicles.	Completed for Unit I	Continued for Unit II
4. A requirement that sections, relating to City requirements, of the CC&R's shall not be amended without approval of the City.	Completed for Unit I	Continued for Unit II
5. A requirement that any addition to a structure shall require written Homeowners' Association approval prior to being submitted for City approval.	Completed for Unit I	Continued for Unit II
6. A requirement for maintenance of street furniture by the entity responsible for maintaining the area in which the furniture is located.	Completed for Unit I	Continued for Unit II
<del>7. A requirement that maintenance responsibilities shall coordinate with a letter from Sylvia Brenner of Southwest Diversified, April 17, 1989, (Exhibit "N") and shall be subject to approval by the City Engineer.</del>	Completed for Unit I	Not Applicable for Unit II
<del>8-</del> 7. The CC&R's shall not include a section which regulates the colors of the homes in Neighborhood 2 (after the initial color approval), nor prohibits flags or Brisbane Stars.	Completed for Unit I	Continued for Unit II
<del>9-</del> 8. A requirement for annual maintenance and/or inspection of the storm drainage facilities.	Completed for Unit I	Continued for Unit II
<del>10-</del> 9. A provision that gates or barriers on the private roadways shall require City Council approval prior to installation.	Completed for Unit I	Continued for Unit II
<del>11-</del> 10. A provision that invasive plants shall not be allowed in privately landscaped areas.	Completed for Unit I	Continued for Unit II
11. A provision for collection of the HCP annual assessment from each homeowner, as described in Condition II(l). <i>The HCP assessment shall be included as part of the regular assessment levied each year by the Homeowners' Association ("HOA") and shall be collected by the HOA and remitted to the HCP Trust in accordance with the terms of a Collection Agreement between the HOA and the HCP Trust.</i>	Completed for Unit I	Continued for Unit II
h) f) Prior to issuance of any grading permit or any Final Map Approval, whichever occurs first, a plan for revegetation and screening of existing and proposed benches, <i>if any</i> , including plants	Completed for Unit I	Continued for Unit II, as Amended

<p>compatible with the HCP requirement shall be submitted and shall be subject to the approval of the Planning Director. This plan shall illustrate effective vegetative screening of the benches from views on and off-site and take into account maintenance access needs.</p>		
<p>j) g) Prior to the issuance of any grading permit or any Final Map Approval, whichever occurs first, <i>the applicant shall submit a 1"-40' scale plan showing that the rear and side setbacks will comply with the setbacks set forth in the approved Planned Development Permit for Unit II.</i> shall be submitted and shall be subject to the approval of the Planning Director:</p> <p>The minimum side or rear yard setback between structure or paved areas and back of paving at curb or sidewalk shall be 15' except in the following cases where a narrower setback will be allowed:</p> <p>Neighborhood 1 North</p> <p>a. <del>Building 118 West unit, west front corner, 8' minimum.</del></p> <p>b. <del>Building 119 West unit, rear corner, 12' minimum</del></p> <p>e. <del>Building 120 Second unit from east, rear, 12' minimum.</del></p> <p>d. <del>Building 124 Center unit rear, 12' minimum.</del></p> <p><del>East unit, west rear corner, 10' minimum.</del></p> <p>e. <del>Building 126 East unit, rear corner, 12' minimum.</del></p> <p>f. <del>Building 127 West unit, rear, 12' minimum.</del></p> <p>g. <del>Building 128 Northeast corner of building, 8' minimum.</del></p> <p>h. <del>Building 130 East unit, rear, 12' minimum.</del></p> <p>i. <del>Building 131 East unit, rear, 10' minimum.</del></p> <p><del>West unit, rear, 12' minimum.</del></p> <p>j. <del>Building 132 East unit, rear, 10' minimum.</del></p> <p>Neighborhood 1 South</p> <p>a. <del>Building 1 North unit, rear corner, 10' minimum.</del></p> <p>b. <del>Building 8 South unit, rear corner, 10' minimum.</del></p> <p>e. <del>Building 9 North unit, rear corner, 10' minimum.</del></p> <p><del>South unit, front corner, 8' minimum.</del></p> <p>d. <del>Building 18 South unit, rear, 10' minimum.</del></p> <p>e. <del>Building 27 South unit, rear corner, 10' minimum.</del></p> <p>f. <del>Building 28 South unit, rear, 12' minimum.</del></p> <p>g. <del>Building 29 North unit, rear, 10' minimum.</del></p> <p>h. <del>Building 32 Middle unit, rear 12' minimum.</del></p> <p><del>North unit, rear, 12' minimum.</del></p> <p>i. <del>Building 33 Northwest unit, rear, 10' minimum.</del></p> <p>j. <del>Building 34 Second unit from east, rear, 12' minimum.</del></p> <p>k. <del>Building 38 West unit, rear, 10' minimum.</del></p> <p>l. <del>Building 41 East unit, rear corner, 10' minimum.</del></p> <p>Neighborhood Two:</p> <p>a. <del>Building 88 Rear corner, 10' minimum</del></p> <p>Prior to the issuance of any grading permit or any Final Map Approval, whichever occurs first, a 1"=40' scale plan showing a front-</p>	<p>Completed for Unit I</p>	<p>Continued for Unit II, as Amended</p>

<p><del>yard minimum landscape setback of 15' shall be submitted with minor exceptions subject to the approval of the Planning Director. The setback shall be measured from back of curb or sidewalk to structure or paved area. (Refer to POD memorandum dated 9-5-89 for initial review of exceptions.)</del></p>		
<p><del>k) h) Prior to issuance of any grading permit or any Final Map Approval, whichever occurs first, plans shall be submitted for review and approval of the Planning Director which provide that driveways shall have a minimum length of 18' (length shall be measured as the shortest line between the building and the property line). A maximum of 10% of total driveways in a Neighborhood may be 8' in length or less if adequate parking (two on- or off-street spaces for each unit) is provided within 100'. Prior to application for a building permit, the plans shall include automatic garage door openers for all units.</del></p>	Completed for Unit I	Continued for Unit II
<p><del>l) i) Prior to the issuance of any grading permit or any Final Map Approval, whichever occurs first, a plan shall be submitted which provides an 5'-area, completely available for ornamental landscaping adjacent to, and in front of, all retaining walls, as approved by the Planning Director.. The area shall be increased to 7' for walls 10' in height or greater. Any minor variation or modification to this standard may be approved by the Planning Director.</del></p>	Completed for Unit I	Continued for Unit II, as Amended
<p><del>m) Prior to the issuance of any grading permit or any Final Map Approval, whichever occurs first, the applicant shall submit trail design specifications that shall be subject to the approval of the City and Plan Operator.</del></p>	Completed	Completed in Unit I
<p><del>n) Prior to the issuance of any grading permit or any Final Map Approval, whichever occurs first, the applicant shall submit 1" 40' scale plans that illustrate a landscape entry treatment for the southeast entry that is similar to the other project entries. This plan shall be subject to Planning Commission approval.</del></p>	Completed for Unit I	Not Applicable for Unit II
<p><del>o) Prior to any Final Map Approval, the applicant shall provide to the City \$17,500 (or approved equal) to pay for the possible future trail installation. If no improvements are made within 5 years from issuance of last occupancy of each phase, the monies submitted will be returned to the applicant.</del></p>	Completed for Unit I	Not Applicable for Unit II
<p><del>p) j) Prior to any Final Map Approval, the applicant shall submit a street lighting plan showing location, number and type of lights and shall include expected levels of illumination, type of illumination. Said plan shall be subject to approval of the Planning Commission-City Engineer and include a concealed source/cut-off luminaire on the public streets in order to minimize visibility of the light from a distance and to direct light down to the roadway.</del></p>	Completed for Unit I	Continued for Unit II, as Amended
<p><del>q) k) Prior to any Final Map Approval, the applicant shall submit irrigation plans that shall be subject to approval by the Planning Director. Irrigation plans shall provide information on drip system</del></p>	Completed for Unit I	Continued for Unit II

included in crib walls.		
<p>¶)l) Prior to any Final Map Approval, the applicant shall sign a landscape maintenance agreement as approved by the City Attorney, and provide a Performance Bond, for a period of 12 months from completion of landscape installation and to insure continued maintenance of all public and private common landscaped areas. The City shall have the right to inspect the landscape periodically during the maintenance period and at the end of the maintenance period. In any case, the City must be satisfied with the condition of the landscape before the applicant's maintenance agreement is terminated.</p>	Completed for Unit I	Continued for Unit II
<p><del>m)s) Prior to issuance of any grading permit or any Final Map Approval, whichever occurs first, the applicant shall submit an application for tree removal. Before any grading occurs, Ralph Osterling Consultants, Inc. or other consultant approved by the City shall evaluate all trees located outside the limit of grading to determine which trees shall be retained. The trees shall be evaluated for health and aesthetic qualities. The three dwarf oaks, to the east of "C" street in Neighborhood One, shall be retained or relocated on the site in accordance with procedures approved by the Planning Director. Each tree that shall be retained shall be identified with a permanent marker so that tree removal crews can recognize the trees to be retained. The City shall review and approve the trees to be retained.</del></p> <p><i>The applicant shall comply with all tree preservation measures required by the City. If any trees are to be removed or thinned, the tree removal crew shall follow tree thinning procedures previously established for Unit I, as recommended in the Eucalyptus Management Handbook For the Northeast Ridge Development prepared by Barrie Coate and Ralph Osterling Consultants, or other consultants approved by the City with commentary by Barrie Coate.</i></p>	Completed for Unit I	Continued for Unit II, as Amended
<p>¶)n) Prior to issuance of any grading permit or any Final Map Approval, whichever occurs first, the applicant shall submit landscape plans at 1"-40' scale which shall be subject to Planning Director approval and conform to the following specifications. This plan shall be presented to the Parks, Beaches and Recreation Commission prior to the Planning Director approval.</p> <p>1. The overall tree density for the project shall be no less than one tree per 350 square feet of landscaped area exclusive of fire buffer landscaping. Specifically, the following areas shall have increased density of tree planting:</p> <p>Neighborhood II, Side Yards: A minimum of one additional tree between each house, since the tree planting appears sparse, shall be included in the working drawings.</p> <p><del>Neighborhood III: The informal tree planting between and-</del></p>	Completed for Unit I	Continued for Unit II as Amended

behind buildings shall be increased to a typical spacing of 8' to 20' on center within clusters and no more than 40' (trunk to trunk) between clusters.		
2. The density of planting in all setbacks shall be adequate to provide screening of the buildings while allowing views out and shall be subject to approval by the Planning Director. Where setbacks between buildings and edge of pavement are less than 12 feet, narrow, open canopy trees that allow views out shall be selected. They shall be planted more densely than in other areas in order to screen the architecture. The selected species should be deep rooted and root barriers shall be used where necessary (within 10' of paving) to prevent roots from lifting paving.	Completed for Unit I	Continued for Unit II
3. All street frontage trees shall be a minimum of 15 gallons. The minimum street tree spacing shall be an average of 1 tree per 20 linear feet with no 2 trees closer than 8' OC (on center). In informal streetscapes, trees shall be planted in clusters with spacing between trees varying from 8' OC to 20' OC and with clusters no more than 40' apart (trunk to trunk).	Completed for Unit I	Continued for Unit II
4. Conflicts between the existing eucalyptus and new plants shall be minimized. This includes keeping irrigation water away from the eucalyptus, planting adjacent areas with species tolerant to low amounts of water and planting material which is visually and culturally compatible with the eucalyptus.	Completed for Unit I	Continued for Unit II
5. Project entries and public roadways shall be landscaped in accordance with <del>G-1 Illustrative Plan, dated June 1, 1989.</del> <i>updated landscape plans.</i>	Completed for Unit I	Continued for Unit II as Amended.
6. The plans shall show landscape screening of utility vaults and existing and proposed water tanks. If requested by the Planning Director, elevations or other illustrative drawings shall also be prepared.	Completed for Unit I	Continued for Unit II
7. The plan shall illustrate the location of and the maintenance for the Public Services Easement wherever it occurs on the Project.	Completed for Unit I	Continued for Unit II
8. If trees are not allowed in the PSE because of the location of utilities, the developer shall provide an area equivalent in width and length and adjacent to the PSE for tree planting. If necessary, structures shall be deleted, set back and/or habitat acreage redistributed (if allowed by Section 10(a) permit and <i>HCP Agreement</i> ) so that the tree planting area is not reduced.	Completed for Unit I	Continued for Unit II
9. The plan shall illustrate the boundaries of maintenance responsibilities and how boundaries are defined (fence, wall, pavement, etc.).	Completed for Unit I	Continued for Unit II
10. The plan shall include a plant palette which includes species and typical spacing and size. A minimum of 50% of the trees shall be 24" box or larger unless approved by the Planning Director. Location and size of trees shall be as approved by the Planning Director.	Completed for Unit I	Continued for Unit II

<p>11. A minimum of <del>15'</del> landscaped area (entirely available for landscaping) shall be provided for screening at the edges of the developed areas, <i>as required by the Planning Director, taking into consideration areas of the project that abut open space..</i> <del>Additional landscaped area shall be provided in critical areas in accordance with the POD drawing dated July 20, 1989. Trees within this area shall be provided at a minimum density of 1 tree/250 square feet.</del></p>	<p>Completed for Unit I</p>	<p>Continued for Unit II, as Amended</p>
<p>12. The plan shall include ornamental plants, as approved by the Planning Director, within the crib walls. If the crib wall exceeds 10' in height, a minimum of 7' of landscaping in front of the crib wall shall be provided, subject to minor modifications approved by the Planning Director.</p>	<p>Completed for Unit I</p>	<p>Continued for Unit II</p>
<p>13. The plan shall include trees, in an undulating pattern, within 5' to 15' of each roadway that is adjacent to an undeveloped area or habitat. The location of the planting areas and location and species of trees within those areas shall be subject to the approval of the Planning Director. The delineation of the maintenance jurisdiction for this planted area shall be subject to the approval of the Planning Director.</p>	<p>Completed for Unit I</p>	<p>Continued for Unit II</p>
<p>14. Drainage channel and rocks shall be placed outside the <del>15'</del> minimum landscaped area and/or outside the line shown on the <i>amended</i> Habitat Boundary Plan, <del>8-16-89</del>, as buffer line.</p>	<p>Completed for Unit I</p>	<p>Continued for Unit II, as Amended</p>
<p>15. <del>The following is the approved tree palette for the fire buffer landscape zones (for both "wet" and "dry" landscape zones):</del></p> <p><del>Eucalyptus citriodora ———— Lemon Scented Gum</del>  <del>Eucalyptus polyanthemos ———— Silver Dollar</del>  <del>Tristania conferta ———— Brisbane Box</del>  <del>Platanus acerifolia 'Yarwood' ———— London Plane Tree</del>  <del>Liquidambar styraciflua ———— American Sweet Gum</del>  <del>'Burgundy' or 'Festival'</del>  <del>Schinus molle ———— California Pepper</del>  <del>Pistacia chinensis ———— Chinese Pistache</del>  <del>Cercis occidentalis ———— Western Redbud</del>  <del>Arbutus unedo ———— Strawberry Tree</del></p> <p><del>Any additional trees shall be approved by the Planning Director. All shrub and ground cover palettes shall be approved by the Planning Director.</del></p>	<p>Completed for Unit I</p>	<p>Not Applicable for Unit II</p>
<p>16. <del>Final locations of Fire Buffer Landscape Zone trees, shrubs and groundcovers shall be approved by the Planning Director.</del></p>	<p>Completed for Unit I</p>	<p>Not Applicable for Unit II</p>
<p>17. <del>All cul de sacs that terminate at habitat areas shall be separated from the HCP by a 5' to 15' undulating planting area for trees on drip irrigation wherever there is no wall. A similar planting area shall be provided in Neighborhood 1 adjacent to the roadway from building 137 to the intersection and adjacent to the roadway</del></p>	<p>Completed for Unit I</p>	<p>Not Applied for Unit II</p>



(except at cribwall) from lot 117 to building 103. Below the lower cribwall in this location, a similar planting area shall be provided for both trees and shrubs on drip irrigation.		
18. — The habitat buffer line for Neighborhood 1 South shall be located as shown on the plan. If any revisions are made in the site plan that have any impact on the location of the habitat buffer line, the Planning Director shall review and approve the location of the line.	Completed for Unit I	Not Applicable for Unit II
19. 15. Sidewalks shall be provided adjacent to all units up to the last driveways of all cul de sacs.	Completed for Unit I	Continued for Unit II
20. — Low growing native plants only shall be provided on either side of the Carter Street extension and in the median strip.	Completed for Unit I	Not Applicable for Unit II
21. — The fire sensors shall be located so that tree planting in front of the sensors is not limited.	Completed for Unit I	Not Applicable for Unit II
22. — Within the Fire Buffer Area adjacent to Guadalupe Canyon Parkway, the minimum tree density shall be 1/225 sq.ft. and a minimum of 4 36" box or larger trees shall be planted at the west side of building #111 to provide immediate screening. A wood retaining wall shall be provided for trees planted in 2:1 slopes if necessary.	Completed for Unit I	Not Applicable for Unit II
23. 16. Landscaping for stem walls that exceed 6' in height shall be reviewed and approved by the Planning Commission-Planning Director.	Completed for Unit I	Continued for Unit II, as Amended
24. — The landscaping plan for Neighborhood 3 shall include large planters with trees on any garage structures as reviewed and approved by the Planning Director.	Completed for Unit I	Not Applicable for Unit II
25. — Landscaping (including trees) adjacent to Quarry Road improvements and intersection with South Hill shall be approved by the Planning Director and all work within HCP administrative parcel 2-02 (Owl and Buckeye Canyons) shall comply with the HCP.	Not applicable due to Park Avenue road construction	Not applicable for Unit II
u) o) Prior to issuance of building permits, the City's Inspector will review the staking of foundations to insure that the required landscape setbacks are met. Reimbursement for City costs to be provided as in Section XII, a. and b.	Completed for Unit I	Continued for Unit II
v) p) Prior to approval of the any Final Map, during the design of improvements, the Planning Director shall review and approve the design, size, material and color for trails, walks, any pathway lights, irrigation, roadways including curb and gutter, fences and walls.	Completed for Unit I	Continued for Unit II
<b>D. Police Department</b>		
1. — Prior to Final Map Approval, the applicant shall obtain permission from GVMID to offer to dedicate space for emergency communication equipment at both water tank sites, as approved by the City Engineer. If such permission is obtained, such dedication shall be offered to the City of Brisbane.	Completed for Unit I	Not Applicable for Unit II
2. 1. Prior to issuance of any building permit, the Police Department shall review and approve the plans in accordance with their	Completed for Unit I	Continued for Unit II

recommendations entitled "Residential Risk Analysis Pre-Construction Design Review" and dated July 17, 1989, attached as Exhibit "O". The building plans shall comply with such recommendations.		
3. 2. Prior to issuance of each occupancy permit, each unit shall be inspected and approved by the Police Chief for compliance with Condition D.2 1.	Completed for Unit I	Continued for Unit II
<b>E. Parks &amp; Recreation (revised per P.B. &amp; R. recommendations 8/24/89)</b>		
<del>1. The applicant shall provide a Park/School site which shall consist of a level pad a minimum of 6.51 acres in size. The Park/School site must be of adequate size to accommodate development of the following facilities: a Recreation Center of 7500 square feet net, a hardcourt area of 23000 square feet; a School Administration building of 3600 square feet net; a school site of 1 acre; a multi purpose field area as specified in Condition No. 4.; on-site parking in two parking lots as specified in Condition No. 4.</del>	Completed for Unit I	Not Applicable for Unit II
<del>2. Prior to development of any Park/School site amenities the applicant shall verify in writing that the grading and earthwork within the Park/School site area is complete and in conformance with the approved grading plan and soils report. The applicant's verification shall be submitted to the City Engineer for review and approval.</del>	Completed for Unit I	Not Applicable for Unit II
<del>3. Prior to development of any Park/School site amenities, the applicant shall verify in writing that the drainage and slope restoration both above and below the Park/School site area is complete and in conformance with the Habitat Conservation Plan and adequate to prevent erosion or slope instability. The applicant's verifications shall be submitted to the City Engineer for review and approval.</del>	Completed for Unit I	Not Applicable for Unit II
<del>4. Prior to construction of any Park/School site amenities the applicant shall stake out all facilities to be constructed including, but not limited to the Recreation Center building, the softball field, the soccer/football field, the storage/concession building, the hardcourt area, the school site area, the parking areas, any handicapped ramps, any pedestrian/bike trails, and the School Administration building, and verify in writing that all facilities will be in conformance with City specified dimensions, square footage requirements and siting and adjacency requirements. The applicant's verification shall be reviewed and approved by the City Engineer, the Recreation Department and the City's consulting landscape architect. Prior to construction, should adequate space not be available for any of the specific elements to be constructed on the Park/School site, the applicant shall provide, solely at his expense, for the purchase of additional property within the City of Brisbane as approved by the City Council, and all costs associated with the construction of those facilities required to be located on such alternate site(s).</del>	Completed for Unit I	Not Applicable for Unit II

<p><del>5. 1. Prior to approval of any Final Map the applicant shall submit a precise plan and specifications for the entire Park/School site for review and approval by the City Engineer, Recreation Department and the City's consulting landscape architect. All planning and design work shall be performed by consultants specializing in park facility design, hired by the applicant with the prior approval of the Recreation Department. The precise plan for the site shall include the following specific elements:</del></p> <p>a) <del>The softball field must meet regulation field dimensions of 275' x 275'. Foul lines must be clear of any obstructions (such as walls, fences, ramps or stairways) including the arc of play.</del></p>	<p>Revised and Completed for Unit I</p>	<p>Not Applicable for Unit II</p>
<p>b) <del>The soccer/football field must be 300' x 180' in dimension. This field must not overlap the clay infield of the softball field.</del></p>	<p>Completed for Unit I</p>	<p>Not Applicable for Unit II</p>
<p>e) <del>Screening or some type of barrier for safety must be provided around the perimeter of the School/Park site.</del></p>	<p>Completed for Unit I</p>	<p>Not Applicable for Unit II</p>
<p>d) <del>The playing fields shall be fenced to the following specifications: the softball field must have a fence 8' in height extending the area from homeplate for 150' along both foul lines. A fence 6' in height must extend around the remainder of the field area. The remainder of the Park/School site must be surrounded by a fence 6' in height. Gates in the fence must be provided around the field at appropriate locations for pedestrian access. All fencing adjacent to the slope side of Park/School site shall be installed with cement footings.</del></p>	<p>Completed for Unit I</p>	<p>Not Applicable for Unit II</p>
<p>e) <del>The precise plan should include all appropriate details and specifications for power sleeves for lighting the softball field.</del></p>	<p>Completed for Unit I</p>	<p>Not Applicable for Unit II</p>
<p>f) <del>a) A combined and scorekeeping building which includes a serving counter shall be provided adjacent to the softball field. This building shall include an elevated platform or second story to house the scorekeeping area. (This building shall be a minimum of 400 sq. ft.)</del></p>	<p>Revised and Completed for Unit I</p>	<p>Not Applicable for Unit II</p>
<p>g) <del>Bleachers with seating for 150 people shall be provided adjacent to the softball field.</del></p>	<p>Completed for Unit I</p>	<p>Not Applicable for Unit II</p>
<p>h) <del>The slope area along the third base line of the softball field shall be designed to accommodate informal grass seating for spectators.</del></p>	<p>Completed for Unit I</p>	<p>Not Applicable for Unit II</p>
<p>i) <del>b) There shall be two onsite parking areas one adjacent to the future school site and Recreation Center with 53 spaces and a second parking area adjacent to the School Administration Building and soccer field with 36 spaces. Both lots shall conform with City standards and the final design of all vehicle circulation and parking shall be approved by the City Engineer.</del></p>	<p>Revised and Completed for Unit I</p>	<p>Not Applicable for Unit II</p>
<p>j) <del>c) A specific pedestrian/bicycle circulation or trail system linking all facilities on the Park/School site with the NE Ridge neighborhoods and central Brisbane shall be provided which is</del></p>	<p>Revised and Completed for Unit I</p>	<p>Continued for Unit II as amended.</p>

offstreet and separated from vehicular traffic. Trails within the Habitat shall be approved by the Plan Operator.		
<del>k) d) A pedestrian pathway with a separate adjacent cement or asphalt track for bicycles shall be provided from North Hill Drive to the Park/School site. The path and bicycle track must be aligned in such a manner that they do not create a hazardous or unsafe situation by routing pedestrians and bicycles through parking lots.</del>	Revised and Completed for Unit I	Not Applicable for Unit II
<del>l) e) If approved by the City Engineer, the access road from North Hill and any pathways through the site should be designed with a surface treatment which will discourage skateboarding.</del>	Revised and Completed for Unit I	Not Applicable for Unit II
<del>m) The field area should be designed for optimal maintenance practices with specific consideration given to drainage, irrigation and gopher control.</del>	Revised and Completed for Unit I	Not Applicable for Unit II
<del>n) Water conserving standards should be incorporated into the overall project design including in particular, selection of turfgrasses and plant materials for drought resistance, and in the design of the irrigation system.</del>	Revised and Completed for Unit I	Not Applicable for Unit II
<del>o) Consideration should be given to special planting applications/ techniques to deal with excessive wind conditions and to prevent surface rooting of trees in lawn areas.</del>	Revised and Completed for Unit I	Not Applicable for Unit II
<del>p) Soil analysis, soil preparation, pre-plant weed control and post-plant weed control and required maintenance specifications for all hydro-seeded areas should be provided.</del>	Revised and Completed for Unit I	Not Applicable for Unit II
<del>q) Vegetative windbreaks should be provided throughout the project site as appropriate and necessary, as determined by the City's consulting landscape architect.</del>	Revised and Completed for Unit I	Not Applicable for Unit II
<del>r) All trees should be a minimum of 15 gallons in size, or as approved by the Planning Director.</del>	Revised and Completed for Unit I	Not Applicable for Unit II
<del>s) Appropriate space should be allocated for construction of a Recreation Center to be sited to optimize the view, solar conditions and wind protection on the site and allow for decking. The decking shall serve to expand the use of the indoor spaces. The recreation center shall be fully handicapped accessible and of adequate size and configuration to accommodate the following program:</del>	Revised and Completed for Unit I	Not Applicable for Unit II
Lobby and Reception _____ 600 Sq. ft. Exercise Room _____ 1000 Multi-Purpose Room w/Kitchen _____ 1500 Youth Activities Room (Teen/Pre-Kindergarten) _____ 700 Adult Activities Room (Classes/Seniors) _____ 700 Arts & Crafts Room _____ 1000 Restroom (accessible from inside & outside with 2 stalls in the		

<p>women's restroom and 1 stall and 1 urinal in the men's restroom) ————— 1000</p> <p>Office Area:</p> <p>Private Office ————— 200</p> <p>Private Office ————— 150</p> <p>Private Office ————— 150</p> <p>Conference Room ————— 250</p> <p>Storage ————— 250</p> <p>Total 7500 Sq. ft. plus 25% for circulation</p> <p>Additionally the Recreation Center should be planned, designed and Constructed to accommodate the construction of a second story at a later time if needed. All schematic designs, plans and specifications shall be submitted to the City Engineer, Recreation Department and the City's consulting architect for review and approval.</p>		
<p>t) — The hardcourt and play apparatus areas must be sited so that they can be developed in conjunction with the Recreation Center yet be easily accessible to a school facility built at a later date.</p>	<p>Revised and Completed for Unit I</p>	<p>Not Applicable for Unit II</p>
<p>u) — The power line towers must be fenced and landscaped in some way to prevent public access or climbing.</p>	<p>Revised and Completed for Unit I</p>	<p>Not Applicable for Unit II</p>
<p>v) — Handicapped ramp access should be located so as to provide easy accessibility to the softball seating area, restrooms, Recreation Center and field while being out of the area of play or the foul line.</p>	<p>Revised and Completed for Unit I</p>	<p>Not Applicable for Unit II</p>
<p>w) — The landscaping plan shall provide screening of the fencing along the road side of the field area and the southern side of Park/School site.</p>	<p>Revised and Completed for Unit I</p>	<p>Not Applicable for Unit II</p>
<p>6. — A striping and signing plan for the parking lots shall be prepared by the applicant's traffic engineering consultant and submitted to the City Engineer for approval. The approved plan shall be implemented by the applicant's contractor to the satisfaction of the City Engineer.</p>	<p>Revised and Completed for Unit I</p>	<p>Not Applicable for Unit II</p>
<p>7. — Prior to approval of the Final Map, and following completion and City approval of the Park/School site specific plan, the applicant shall have an engineering cost estimate prepared by a civil engineer for all of the landscaping, parking and recreation facilities and features included in the Park/School site specific plan as set forth in Condition No. 5. All cost estimates shall be expressed in 1990-dollars.</p>	<p>Revised and Completed for Unit I</p>	<p>Not Applicable for Unit II</p>
<p>8. — Prior to the issuance of any certificate of occupancy the applicant shall construct and install all park site improvements described in these conditions and specified in the precise plan in accordance with City standards and the requirements of the City</p>	<p>Revised and Completed for Unit I</p>	<p>Not Applicable for Unit II</p>

<p><del>Engineer, Recreation Department and the City's consulting landscape architect. At the City's option and sole discretion as evidenced by City Council action, the applicant shall remit a payment to the City in lieu of constructing any specific park site improvement. Such in lieu payment, if requested by the City shall be in an amount equal to the value of the specified park site improvement expressed in 1990 dollars adjusted by the monthly all urban consumers CPI for the San Francisco, Oakland, San Jose area. In lieu payments, if requested by the City, may be expended solely for the purposes of constructing alternative community recreational facilities on any designated site(s).</del></p>		
<p><del>9. Prior to the issuance of any occupancy certificates the applicant shall offer the park site, the minimum size of which is set forth in Condition No. 1, along with all completed improvements as set forth in Conditions No. 4 and No. 8, for dedication to the City of Brisbane.</del></p>	<p>Revised and Completed for Unit I</p>	<p>Not Applicable for Unit II</p>
<p><del>10. Prior to the issuance of any occupancy certificates the applicant shall offer the school site and the School Administration building and building site as set forth in Condition No. 1, for dedication to the Brisbane School District. Should the School District determine the school site property or the School Administration building and underlying property to be surplus at some future date, ownership of such property shall automatically be reverted to the City for public use, the deed shall contain such reversion clause.</del></p>	<p>Revised and Completed for Unit I</p>	<p>Not Applicable for Unit II</p>
<p><del>11. Prior to the issuance of any occupancy certificates the applicant shall provide basic improvements on the school site to the satisfaction of the City Engineer, the Recreation Department and the City's consulting landscape architect. These improvements shall include hydroseeding, irrigation, landscaping, power sleeves and play apparatus. The precise plan as set forth in Condition No. 5 shall include details of these improvements.</del></p>	<p>Revised and Completed for Unit I</p>	<p>Not Applicable for Unit II</p>
<p><del>12. Prior to City approval of the Final Map, the applicant, after consultation with the City Manager, shall submit a precise plan and specifications for the landscaping and/or paving and striping of the 1.22 acre parcels (005-162-200; 005-162-280) for review and approval of the Recreation Department, City Engineer and the City's consulting landscape architect.</del></p>	<p>Revised and Completed for Unit I</p>	<p>Not Applicable for Unit II</p>
<p><del>13. 2. The applicant shall construct and install all landscaping and/or paving and striping improvements on parcels 005-162-200 and 005-162-280 as specified in the precise landscaping plan as set forth on Condition No. 12. All improvements shall be constructed in accordance with City standards and requirements of the City Engineer, Planning Director, Recreation Department and the City's consulting landscape architect.</del></p>	<p>Revised and Completed for Unit I</p>	<p>Not Applicable for Unit II</p>
<p><del>14. 3. Prior to issuance of any occupancy permits, the applicant</del></p>	<p>Completed for</p>	<p>Not Applicable</p>

shall offer parcels 005-162-200 and 005-162-280 along with all improvements as set forth in the approved precise landscaping plan as set forth in Condition No. 5-12 for dedication to the City of Brisbane.	Unit I	for Unit II
15. 4. Prior to approval of the Final Map, applicant shall contribute the necessary funds for the development of plans and specifications prepared by an architect, specializing in aquatic facilities and selected by the City, and the construction of a community swimming pool to be located on a portion of the Brisbane Elementary School property in accordance with the following requirements: a) — The existing parking lot at the Brisbane Elementary School must be constructed to provide for adequate parking during school hours as well as after school and evenings for a minimum of 38 cars.	Revised and Completed for Unit I	Not Applicable for Unit II
b) — Both the men's and the women's locker rooms must be 1100-sq. ft. each. The ceiling height in the locker rooms must be 12 ft. for ventilation.	Revised and Completed for Unit I	Not Applicable for Unit II
c) — Locker rooms must be designed with flow from wet areas (pool to shower) to dry (locker to hallway). It must be possible to lock off locker rooms from pool side (this is done at the end of the day when the pool is closed to prevent the last swimmers reentering the pool area from the locker rooms). Additionally, the locker rooms must include lockers, showers, dressing stalls, toilets and sinks.	Revised and Completed for Unit I	Not Applicable for Unit II
d) — Halls must be a minimum of 8 feet wide and doors must be a minimum of 4 1/2 feet wide to accommodate handicapped access.	Revised and Completed for Unit I	Not Applicable for Unit II
e) — A security check-in (access control) area with a counter must be provided.	Revised and Completed for Unit I	Not Applicable for Unit II
f) — Behind the security check-in an office must be provided with clear visibility to the pool area. Office must have direct access to pool deck area.	Revised and Completed for Unit I	Not Applicable for Unit II
g) — The teaching area should be an L off the shallow end of the main pool. Routing access around the perimeter of the pool must be possible.	Revised and Completed for Unit I	Not Applicable for Unit II
h) — Space must be provided for bleachers and wall benches.	Completed for Unit I	Not Applicable for Unit II
i) — Pool deck area must include adequate room for storage of such things as lane ropes, pool covers, hoses, rescue equipment, etc.	Completed for Unit I	Not Applicable for Unit II
j) — The design must include space for a lifeguard stand adjacent to the deep area of the pool.	Completed for Unit I	Not Applicable for Unit II
k) — The deck space at the deep end of the pool should be left open to accommodate a teaching area or possible future enclosed gym/work out area.	Revised and Completed for Unit I	Not Applicable for Unit II
l) — The chemical storage area should be on the outside corner of	Revised and	Not Applicable

building and mechanical area on the interior side of the building. This will provide for easy delivery and natural ventilation for chemicals.	Completed for Unit I	for Unit II
m) — The pool must be 25 meters long with an L-shaped teaching area of 12 feet by 41 feet.	Revised and Completed for Unit I	Not Applicable for Unit II
n) — The pool must have both a shallow and a deep end and depth shall range from 3'6" to 12 feet.	Revised and Completed for Unit I	Not Applicable for Unit II
o) — A therapy pool shall be included.	Revised and Completed for Unit I	Not Applicable for Unit II
p) — Diving boards or platforms shall not be provided.  The applicant's contribution towards the planning, design and construction of the swimming pool shall be equal to the engineering cost estimate prepared by a civil engineer for items listed above. Such cost estimate shall be expressed in 1990 dollars and adjusted by the monthly all urban consumer CPI for the San Francisco, Oakland, San Jose area. At the City's option and sole discretion, as evidenced by City Council action, the above specified funds shall be expended solely for purposes of constructing alternative high priority community recreational facilities on any designated site(s).	Revised and Completed for Unit I	Not Applicable for Unit II
16. — School, park and recreational facilities may be relocated within the City. Their final siting will be determined by the City Council (but with the concurrence of the school board as to recreational and school facilities on the Northeast Ridge site) prior to any Final Map Approval or issuance of any grading permit, whichever occurs first.	Completed for Unit I	Not Applicable for Unit II
<b>F. Finance Department</b>		
1. — Prior to any Final Map approval, the applicant shall agree to cooperate with the City of Brisbane in the formation and funding of a Community Facilities District (the "CFD") under the Mello-Roos Community Facilities Act of 1982 ("Mello-Roos") in a form approved by the City Attorney.  It is intended that the CFD shall consist of the lands of the applicant as described herein, consisting of approximately 228 acres, located within the boundaries of the City. The purpose of the CFD will be to authorize the levy of special taxes in the CFD to pay debt service on special tax bonds, the proceeds of which will be used to construct or acquire certain public improvements on the Northeast Ridge and to pay the costs of formation of the CFD and the costs of the issuance of the bonds.  It is further intended that any special taxes shall be levied in the CFD.	Revised and Completed for Unit I	Not Applicable for Unit II



<p><del>after consultation by the City with the applicant, taking into account the size and nature of the Development, but that City shall finally determine the exact amount and method of apportionment of such special taxes. The applicant's cooperation shall include execution of all petitions, waivers and documents required by the City to start, conduct and complete the proceedings under Mello Roos to form the CFD, authorize the special taxes and the bonds and to issue and deliver the bonds. The applicant's cooperation shall also include the timely payment of any deposit to the City to pay for the costs of conducting the proceedings (including, but not limited to the costs of tax consultants, attorneys, engineers and financial advisors retained by City for purposes of the proceedings under Mello Roos), as authorized under Mello Roos, the unused portion of which deposit shall be reimbursed to the applicant, without interest, upon the sale of the bonds and not otherwise.</del></p> <p><del>Subject to any extension of time mutually agreed upon between the applicant and City, the proceedings to form the CFD, including any required property owner election and authorization of the issuance of the bonds shall be completed not later than six months from the effective date of the project's approval or December 1, 1990, whichever is later.</del></p>		
<p><del>2--1. If a public improvement(s) as required herein is not completed, the applicant may request that additional security or bonding be accepted in lieu of completion. Such request shall be reviewed by the City Attorney, Planning Director and Finance Director for their determination.</del></p>	<p>Completed for Unit I</p>	<p>Continued for Unit II</p>
<p><b>G. Brisbane School District</b></p>		
<p><del>1. Prior to issuance of any grading permit or approval of any final map, whichever occurs first, applicant shall comply with the requirements of the Brisbane School District.</del></p>	<p>Completed for Unit I</p>	<p>Not Applicable for Unit II</p>
<p><b>H. Regional Water Quality Control Board</b></p>		
<p>1. Prior to any Final Map Approval or issuance of any grading permit, whichever occurs first, applicant shall comply with <i>any applicable</i> the requirements of the Regional Water Quality Control Board stated in its letter dated July 14, 1989.</p>	<p>Completed for Unit I</p>	<p>Continued for Unit II</p>
<p><b>I. Army Corps of Engineers</b></p>		
<p>1. Any approval of these applications shall be conditioned upon compliance with the requirements of the Army Corps of Engineers, as stated in its letter dated July 13, 1989, having been achieved. Formal notice of this compliance is required.</p>	<p>Completed for Unit I</p>	<p>Continued for Unit II</p>
<p><b>J. Pacific, Gas and Electric Company</b></p>		
<p>1. Prior to any Final Map Approval, a clearance letter from PG&amp;E shall be submitted for review and approval by the City Engineer.</p>	<p>Completed for Unit I</p>	<p>Continued for Unit II</p>
<p><b>K. Miscellaneous additional conditions</b></p>		

<p><del>K. 1. Prior to any Final Map Approval, or issuance of grading permit, whichever occurs first, comply with the requirements of the San Francisco Bay Conservation and Development Commission letter, dated August 28, 1989.</del></p>	<p>Completed for Unit I</p>	<p>Not Applicable for Unit II</p>
<p><del>L. 1. Prior to any Final Map Approval, or issuance of grading permits, whichever occurs first, provide a letter from the City's cable television provided indicating their ability to cooperate in providing cable facilities to the development.</del></p>	<p>Completed for Unit I</p>	<p>Continued for Unit II</p>
<p><del>K. 2. The Applicant agrees to indemnify, defend and hold the City and its officers, officials, boards, commissions, employees and volunteers harmless from and against any claim, action or proceeding brought by any third party to attack, set aside, modify, or annul the approval, permit or other entitlement given to the applicant, or any of the proceedings, acts or determinations taken, done or made prior to the granting of such approval permit or entitlement.</del></p>		<p>New Condition</p>
<p>3. The applicant shall contribute to the city the sum of \$1,800,000 for public facilities, to be allocated equally to each of the 71 lots in Unit II and the 17 lots previously approved as part of Unit I, resulting in an allocation of \$20,454 for each lot. The contributions for the public facilities shall be paid in accordance with the terms of an amendment to the Subdivision Improvement Agreement to be executed between the developer and the City prior to any approval of a final map for Unit II.</p>		<p>New Condition for Unit II</p>