

Greg Steltenpohl and Fred Bailey
Application No.: 95-0685
A.P.N.: 58-121-04

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CONDITIONS OF APPROVAL

Commercial Development Permit No. 95-0685

Applicant and Property Owner: Greg Steltenpohl and Fred Bailey

Assessor's Parcel No. 58-121-04

Property location and address: Southwest side of Highway 1 opposite the highway's intersections with Davenport Avenue and Center street (3500 Coast Highway 1, Davenport) in the North Coast Planning Area

EXHIBITS

Exhibit A - Architectural Plans prepared by Franks Brenkwitz and Associates dated March 4, 1998 consisting of 13 sheets:

- Sheet A-1 - Title Sheet
- Sheet A-2 - Site Plan
- Sheet A-3 - Landscape of Entire Site
- Sheet A-3.1 - Landscape Plan of New Parking Lot
- Sheet A-4 - Existing Floor Plan of Building
- Sheet A-5 - Lower Floor Plan
- Sheet A-6 - Upper Floor Plan
- Sheet A-7 - Exterior Elevations
- Sheet A-8 - Exterior Elevations

Exhibit B - Preliminary Grading and Drainage Plans prepared by Bowman and Williams dated March 4, 1998 consisting of 3 sheets:

- Sheet C-1 - Plan View of Northwestern Portion of Site
- Sheet C-2 - Plan View of Central Portion of Site
- Sheet C-3 - Cross-sections

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CONDITIONS

- i. The development approved by this permit and the special reporting requirements are specified below.

- A. This permit authorizes the construction of a commercial mixed use building with two residential dwelling units to be constructed in three phases and associated parking areas according to Exhibit A; and the grading necessary to construct the new parking area in accordance with Exhibit B. The permit includes a Variance to reduce the front yard setback to 0 feet for a 53 lineal foot portion of the building. The construction phases are as follows:

Phase 1 - Reconstruction of the northwest half of the existing building to include restaurant/cafe, retail shops **and conference** meeting rooms on the upper floor and micro-juicery and warehouse and 3 offices on the lower floor and the new 66 vehicle space parking lot.

Phase 2 - Reconstruction of the southeast half of the existing building to include 1 office and 3 visitor accommodation units on the upper floor and 1 office, a day spa, 2 visitor accommodation units and 1 dwelling (for caretaker) on the lower floor and renovation of the existing parking lot to provide for 13 vehicle spaces

Phase 3 - Construction of a detached greenhouse of 750 square foot greenhouse and "boat house" dwelling as shown on sheet A-3 of Exhibit A.

Phases 1 and 2 may be implemented either separately or simultaneously. However, separate implementation will require total completion of phase 1 before commencing phase 2. In any case, phase 3 shall not occur until phases 1 and 2 are completed.

- B. This permit supersedes all previous discretionary permits approved for this parcel.
- C. This permit shall be reviewed by the Planning Commission at the end of each development phase to determine if all permit conditions have been adequately implemented. In the case of simultaneous implementation of phases 1 and 2, the Planning Commission shall review the project initially, upon completion of the 66 vehicle parking lot and sequentially after the completion of all phase 1 and 2 requirements. The Planning Commission shall schedule the public hearing review of this permit if, during the

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Commission's review of a status report prepared by Planning staff, it is determined that a public hearing will facilitate compliance with the requirements of this permit.

- II. Prior to exercising any rights granted by this permit, including without limitation, any construction or site disturbance, the applicant/ owner shall:
 - A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
 - B. Obtain a Building Permit for Phase 1 of the project from the Santa Cruz County Building Official. Construction drawings for phase 1 shall conform to Exhibit A. Building Permits for phases 2 and 3 of the project shall be required. Construction drawings for these two phases shall also conform to Exhibit A. Building Permits for these construction phases shall be issued after the Building Permit for phase 1 has been **final**ed if phases 1 and 2 are constructed separately.
 - C. Obtain a Grading Permit from the County of Santa Cruz Planning **Department**. Final Grading Plans shall conform to Exhibit B. (Refer to Condition III.G).
 - D. Pay a Negative Declaration filing fee of \$25.00 to the Clerk of the Board of the County of Santa Cruz as required by the California Department of Fish and Game mitigation fees program.

- III. Prior to issuance of a Building Permit for phase 1 of the project the applicant/owner shall:
 - A. Dedicate a permanent public easement for pedestrian beach access over the existing trail located southeast of the existing building. The easement document shall be reviewed and approved by County Planning staff and County Counsel prior to recordation of the document.
 - B. Dedicate a permanent public easement over the existing trail paralleling the coastal side of the rail road tracks and a route that joins this trail to Highway 1 that includes the new stairway described in conditions III.E and V.D for pedestrian beach access. This easement will include 4 foot wide strip of land across the parking lot from the stairway to the **Highway 1** right-of-way. The easement document shall be reviewed and approved by County Planning staff and County Counsel prior to recordation.

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- C. Dedicate a permanent right-of-way over the driveway entrance to the 66 vehicle parking lot and a connecting route of a least 20 feet in width to adjoin with A.P.N. 58-121-03 for the purpose of providing shared vehicle access with A.P.N. 58-121-03 if that parcel is developed in the future. The right-of-way document shall be reviewed and approved by County Planning staff and County Counsel prior to document recordation.
- D. Obtain and Encroachment Permit from Caltrans for the installation and maintenance of landscaping as shown on sheet A-3.1 of Exhibit A.
- E. Obtain a Building Permit for the construction of a public pedestrian stairway to traverse the slope at the northwest corner of the site as shown on sheet A-3.1 of Exhibit A. The construction drawings shall be reviewed and approved by a geotechnical engineer.
- F. Obtain a Grading Permit. This requires submittal of a grading permit application to the building counter of the Planning Department, including two copies of complete grading, drainage, and erosion control plans in conformance with minimum County standards. The plans shall conform to Exhibit B of this permit. The permit fee in effect at the time of submittal shall be paid.

To prevent any soil of bluff instability problems on the project site, all project development shall follow the recommendations of the geotechnical report prepared for this project by Reynolds and Associates dated May 5, 1997 and its addendum report, including the requirement that all grading and paving associated with the new parking lot be set back a minimum of 25 feet from the edge of the bluff that borders the southwestern edge of the parcel. All requirements of the approved Grading Permit are, by reference, hereby incorporated into the conditions of this permit.

No land clearing, grading or excavating shall take place between October 15 and April 15 unless a separate winter erosion-control plan is approved by the Planning Director.

- G. Submit final engineered drainage plans to County Planning for review and approval as part of the Grading Permit application submittal. Final grading plans shall conform to Exhibit B of this permit. To prevent discharges from carrying silt, grease and other parking lot contaminants, the final drainage plan shall incorporate a silt and grease trap at the most downstream inlet of the parking lot drainage facilities.
- IV. Prior to the issuance of a Building Permit for any of the 3 construction phases, the owner/applicant shall:

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- A. Submit construction drawings that are in substantial conformance with Exhibit A and which include the following:
1. Exterior elevations identifying finish materials and colors in conformance with condition IV.A.12 of this permit.
 2. Floor plans identifying each room and its dimensions.
 3. Provide complete screening from public view all rooftop mechanical and electrical equipment.
 4. A site plan showing the location of all site improvements, including but not limited to, points of ingress and egress, parking areas, loading areas, turnarounds, trash and recycling enclosures, utility connections, easements and pedestrian trail routes.
 5. All new electrical power, telephone and cable television service connections shall be installed underground. Pad mounted transformers shall not be located in the front setback or in any area visible from public view unless they are completely screened by walls and/or landscaping or installed in underground vaults. Utility meters, such as gas meters and electrical panels shall not be visible from public streets or building entries.
 6. A final sign plan showing dimensions, location, material and colors. No sign illumination is allowed. Plastic shall not be used a sign material. Commercial **signage** shall be limited to one freestanding sign at each project entrance. Both signs shall be designed to consistent with the architectural character of the main building and as an integral part of the landscape area. Both signs must be set back 5 feet from the edge of the Highway 1 right-of-way and shall not obstruct sight distance of motorists or pedestrians. The maximum height of each sign is 7 feet above grade. The total aggregate sign area of both signs is 50 square feet.
 7. Parking, loading and circulation areas shall be surfaced with a minimum of 2 inches of concrete finished as **colorized** stamped concrete as specified in Exhibit C of this permit. The pedestrian route from the edge of Highway 1 to the stairway described in condition III.F shall be defined with another type of paving material such as interlocking concrete paver block.
 8. The two parking areas shall include 79 parking spaces (of which 40% may be designed to compact car standards). Four of the

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spaces must be designed as handicapped accessible parking spaces. These spaces shall be located as shown on Exhibit A.

Twenty-three bicycle parking spaces shall also be provided as shown on Exhibit A. All spaces and loading berth shall be striped and defined by wheel stops. The size of each standard parking space shall be not less than 18' X 8-1/2'. Compact spaces shall be at least 16' X 7-1/2'. Handicapped accessible spaces shall be 18' X 14'. Each bicycle space shall be 6' X 2' in size and equipped with a parking rack to support the bicycle and be of sufficient material and strength to prevent vandalism and theft.

9. At least 2 loading spaces (sized 45' X 14') shall be provided and designed in accordance with sections 13.10.570-.571 of the County Code.
10. The lighting of all parking and circulation area shall be limited to pedestrian oriented lighting not to exceed 3 feet in height. This lighting shall be minimized to the amount necessary for safety purposes. One such light standard on each side of each driveway entrance to the project shall be permitted. Other lighting shall be located where necessary to allow safe pedestrian use of the parking area at night. All lighting shall be designed so it does not produce any glares off-site.
11. Follow all recommendations of the geotechnical report prepared by Reynolds and Associates for this project dated May 5, 1997 and its addendum, regarding the construction and other improvements on the site, including the requirement that all grading and paving associated with the parking lot be setback a minimum of 25 feet from the edge of the bluff that borders the southwestern edge of the parcel. All pertinent geotechnical report recommendations shall be included in the construction drawings submitted to the County for a Building Permit. All recommendations contained in the County acceptance letter(s) dated November 3, 1997, shall be incorporated into the final design. A plan review letter from the geotechnical engineer shall be submitted with the plans stating that the plans have been reviewed and found to be in compliance with the recommendations of the geotechnical engineer.
12. To minimize the visual impact of the main project building to insignificant levels and allow ocean vistas to be retained at the north-west portion of the parcel, these features shall be incorporated into the project:

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- a. The exterior colors at the main project building shall be earthen tone colors that blend with the surrounding landscape or corrugated metal siding replicating an agricultural building, both of which have been approved by County Planning;
 - b. The landscape plan prepared for this project prepared by Franks Brenkwitz and Associates dated March 4, 1998 (sheet A-3.1 of Exhibit A) shall be implemented prior to final inspection and clearance of the Building Permit for phase 1 of the project;
 - c. Any fencing in the vicinity of the parking lot shall be limited to the rustic split rail fencing shown on the landscape plan that restricts access to the edge of the bluff southwest of the parking lot.
13. Final plans shall note that Davenport Water and Sanitation District will provide water service and sewer service and shall meet all requirements of the District including payment of any connection and inspection fees as specified in the two following conditions below. Final engineered plans for water and sewer connection shall be reviewed and accepted by the District.
- B. To prevent over utilization of the Davenport Water and Sanitation District's domestic water supply, the owner/applicant shall provide the necessary improvements to the District water treatment plant as determined by the District for an additional 3,000 gallons/day of domestic water use. The installation of improvements may be spread over a time period specified by the District as long as, at least one-half of the necessary improvements are installed prior to the final inspection and clearance of the Building Permit for phase 1 of the project and all remaining improvements are completed prior to the final inspection and clearance for phase 2.
 - C. To prevent over capacity problems from being exacerbated from project sewage discharges into the Davenport Water and Sanitation District's sewer system, the owner/applicant shall pay the appropriate sewer connection charges, as calculated by the District, to pay for the necessary sewer system upgrades. At least 50% of the total fee charges shall be paid prior to the issuance of a Building Permit for phase 1 of the project. An additional payment of at least 43% of the total charges shall be paid prior to issuance of the Building Permit for phase 2 construction.

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The remaining 7% of the total charges shall be paid prior to issuance of the Building Permit the phase 3 construction.

- D. Meet all requirements and pay the appropriate plan check fee of the California Department of Forestry and Fire Protection
 - E. Pay the Santa Cruz County Park Dedication fee in effect at the time of Building Permit issuance for phase 3. On March 25, 1998, this fee would total \$538.00 for a 1 bedroom single-family dwelling.
 - F. Pay the Santa Cruz County Child Care fee in effect at the time of Building Permit issuance. On March 25, 1998 the fee is calculated as follows:
 - 1. **\$0.12/square** foot of warehouse floor area;
 - 2. **\$0.23/square** foot of floor area for all other approved commercial and visitor-serving uses; and
 - 3. **\$109.00/bedroom** for single-family dwellings (phase 3).
 - G. Meet all requirements of the Department of Public Works and pay all fees for Zone 4 Santa Cruz County Flood Control and Water Conservation District including plan check and permit processing fees.
 - H. Submit a written statement signed by an authorized representative of the Pacific School District and the Santa Cruz High School District in which the project is located confirming payment in full of all applicable developer fees and other requirements lawfully imposed by the school district in which the project is located.
- V. All construction shall conform to the approved plans issued for a Grading Permit and separate Building Permits. The following requirements shall be met during all grading and construction activities:
- A. To prevent this project from contributing to accelerated filling of either the City or County of Santa Cruz landfills, the owner/applicant shall have the all excess fill material from grading activities that is removed from the site transported to Big Creek Lumber Company on Highway 1 for use as 6 inch cover on the surface of their staging yard or transported to another County approved fill site.
 - B. To control all surface drainage and prevent erosion impacts, the owner/applicant shall implement an engineered drainage plan that conforms to the preliminary engineered drainage plan prepared for the project

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by Bowman and Williams dated March 4, 1998 (Exhibit B). The final approved plan shall be implemented as part of the Grading Permit for this project. A silt and grease trap shall be installed as discussed in condition III.G above at the same time other drainage improvements are installed. All improvements specified in the approved plan shall be installed prior to final inspection and clearance of the Building Permit for phase 1 of the project.

- C. To minimize dust impacts to surrounding properties during excavation for the new parking lot, the owner/applicant shall have a water truck on the site during all major grading activities and shall have all exposed earthen surfaces water sprayed at frequencies that prevent significant amount of dust from leaving the project site.
- D. To prevent increased erosion of the steep bluff face that borders the southwestern edge of the parcel from increased pedestrian traffic, the owner/applicant shall construct a pedestrian stairway to traverse this bluff face and repair the three areas of pedestrian induced erosion on the bluff face prior to final inspection and clearance of the Building Permit for phase 1 of this project. The stairway shall be located to provide access from the southwest corner of the new parking lot. The stairway shall be constructed according to the approved Building Permit plans for this improvement (Refer to condition III.E)
- E. To minimize noise impacts to insignificant levels to users of the project building, all building construction shall meet noise insulation requirements for residential and commercial buildings as specified in the Uniform Building Code.
- F. To prevent operational conflicts from occurring from project generated traffic, the owner/applicant shall make the following improvements prior to completion of phase 2 of the project:
 - a. Realign the south project entrance driveway to be located directly opposite Davenport Avenue to create a "4-legged" intersection with Highway 1 according to Caltrans specifications; and
 - b. Provide striping and signage on Highway 1 as approved by Caltrans which advises northbound motorists that northbound left turns into the south driveway entrance to the project are disallowed.
- G. All new electrical power, telephone, and cable television service connections shall be installed underground.

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- H. All improvements shall comply with applicable provisions of the Americans With Disabilities Act and/or Title 24 of the State Building Regulations.
- I. Pursuant to Sections 16.40.040 and 16.42.100 of the County Code, if at any time during site preparation, excavation, or other ground disturbance associated with this development, any artifact or other evidence of an historic archaeological resource or a Native American cultural site is discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the Sheriff-Coroner if the discovery contains human remains, or the Planning Director if the discovery contains no human remains. The procedures established in Sections 16.40.040 and 16.42.100, shall be observed.
- J. All construction shall be performed in accordance with the approved plans. Prior to final building inspection and building occupancy for each construction phase, the owner/applicant shall meet the following conditions:
 - 1. All site improvements shown on the final approved Building Permit plans shall be installed;
 - 2. All inspections required by the Building Permit shall be completed to the satisfaction of the County Building Official; and
 - 3. The project geotechnical engineer shall submit a letter to the Planning Department verifying that all construction has been performed according to the recommendations of the accepted geotechnical report. A copy of the letter shall be kept in the project file for future reference.

VI. Operational Conditions.

- A. This permit constitutes a Master Occupancy Program for the project site. Any use conditionally permitted in the "C-1" and "CT," zone districts specified in Section 13.10.332 of the County Code, with the exception of those uses specified below shall be authorized to occupy the subject building provided that a Level 1 Change of Occupancy Permit is issued by the County of Santa Cruz Planning Department. No use will be allowed which requires more parking than available on site. The "C-1" and "CT," zone district uses not allowed on the site are as follows:
 - 1. Recycling collection facilities;

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2. Automobile service stations (gasoline service stations);
 3. Banks exceeding 10% of the floor space area of the main building;
 4. Private clubs exceeding 10% of the floor area of the main building;
 5. Bus or transit stations;
 6. Offices exceeding 50% of the floor area of the main building (this is a requirement of the "C-1" zone district);
 7. Broadcasting station transmitting towers;
 8. More than two dwelling units;
 9. "Type B" visitor accommodations including organized camps, recreational vehicle parks, vehicle and tent camping parks and campgrounds.
- B. All landscaping shall be permanently maintained with the species specified on the landscape plan. Replacement of any tree or shrub fatalities shall be done with the same species as shown on the plan or a species with nearly identical characteristics as approved by County Planning. Parking lot landscaping shall always be limited to ground cover and low growing (less than 2-1/2 feet in height) shrubs. All hedges surrounding the project buildings shall be permanently maintained as follows. The Monterey cypress hedge at the southeast and northwest ends of the building shall be maintained with a cut height of 9 feet and a maximum growth height if 11 feet. The Myporum lateum hedge paralleling Highway 1 shall be maintained with a maximum growth height that does not exceed the height of the main building. The maintenance of all landscaping shall include the following practices:
1. Soil Conditioning. In new planting areas, soil shall be tilled to a depth of 6 inches and amended with six cubic yards of organic material per 1,000 square feet to promote infiltration and water retention. After planting, a minimum of 2 inches of mulch shall be applied to all non-turf areas to retain moisture, reduce evaporation and inhibit weed growth.
 2. Irrigation Management. All required landscaping shall be provided with an adequate, permanent and nearby source of water which shall be applied by an installed irrigation, or where feasible, a drip irrigation system. Irrigation systems shall be designed to avoid

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- runoff, overspray, low head drainage, or other similar conditions where water flows onto adjacent property, non-irrigated areas, walks, roadways or structures.
3. Appropriate irrigation equipment, including the use of a separate landscape water meter, pressure regulators, automated controllers, low volume sprinkler heads, drip or bubbler irrigation systems, rain shutoff devices, and other equipment shall be utilized to maximize the efficiency of water applied to the landscape.
 4. Plants having similar water requirements shall be grouped together in distinct hydrozones and shall be irrigated separately.
 5. The irrigation plan shall show the location, size and type of components of the irrigation system, the point of connection to the public water supply and designation of hydrozones. The irrigation schedule shall designate the timing and frequency of irrigation for each station and list the amount of water, in gallons or hundred cubic feet, recommended on a **monthly** and annual basis.
 6. Landscape irrigation should be scheduled between 6:00 p.m. and 11:00 a.m. to reduce evaporative water loss.
- C. All installed drainage facilities shall be permanently maintained. The silt and grease trap shall be maintained on a regular basis according to the following monitoring and maintenance procedures:
1. The trap shall be inspected to determine if it needs to be cleaned out or repaired at the following minimum frequencies:
 - a. Prior to October 15 each year;
 - b. Prior to April 15 each year; and
 - c. During each month it rains between November 1 and April 1.
 2. A brief annual report shall be prepared by the trap inspector at the conclusion of each October 15 inspection and submitted to the property owner and to County Public Works staff within 15 days of this inspection. This monitoring report shall specify any repairs that have been done or that are needed to allow the trap to function adequately.

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- D. The stairway discussed in condition V.D above shall be permanently maintained in good condition by the property owner. Similarly, the **earthen** pedestrian trails described in conditions III.A and III.B above shall be maintained free from erosion and obstructions by the property owner.
 - E. Any live or recorded music played on the premises shall not be heard beyond the subject property. No music shall be played within the 66 vehicle parking lot.
 - F. The hours of retail and public food serving uses shall be limited to 6:00 a.m. to 9:00 p.m. daily.
 - G. Buses must park in the lower parking lot and only use the new 66 vehicle parking lot to discharge passengers.
 - H. In the event that there is non-compliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.
- VII. As a condition of this development approval, the holder of this development approval ("Development Approval Holder"), is required to defend, indemnify, and hold harmless the COUNTY, its officers, employees, and agents, from and against any claim (including attorneys' fees), against the COUNTY, its **officers**, employees, and agents to attack, set aside, void, or annul this development approval of the COUNTY or any subsequent amendment of this development approval which is requested by the Development Approval Holder.
- A. COUNTY shall promptly notify the Development Approval Holder of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. COUNTY shall cooperate fully in such defense. If COUNTY fails to notify the Development Approval Holder within sixty (60) days of any such claim, action, or proceeding, or fails to cooperate fully in the defense thereof, the Development Approval Holder shall not thereafter be responsible to defend, indemnify, or hold harmless the COUNTY if such failure to notify or cooperate was significantly prejudicial to the Development Approval Holder.
 - B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:

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- C. Settlement. The Development Approval Holder shall not be required to pay or perform any settlement unless such Development Approval Holder has approved the settlement. When representing the County, the Development Approval Holder shall not enter into any stipulation or settlement modifying or affecting the interpretation or validity of any of the terms or conditions of the development approval without the prior written consent of the County.
- D. Successors Bound. "Development Approval Holder" shall include the applicant and the successor(s) in interest, transferee(s), and assign(s) of the applicant.
- E. Within 30 days of the issuance of this development approval, the Development Approval Holder shall record in the office of the Santa Cruz County Recorder an agreement which incorporates the provisions of this condition, or this development approval shall become null and void.

VI. Mitigation Monitoring Program

The mitigation measures listed under this heading have been incorporated into the conditions of approval for this project in order to mitigate or avoid significant effects on the environment. As required by Section 21081.6 of the California Public Resources Code, a monitoring and reporting program for the above mitigations is hereby adopted as a condition of approval for this project. This monitoring program is specifically described following each mitigation measure listed below. The purpose of this monitoring is to ensure compliance with the environmental mitigations during project implementation and operation. Failure to comply with the conditions of approval, including the terms of the adopted monitoring program, may result in permit revocation pursuant to Section 18.10.462 of the Santa Cruz County Code.

- A. Mitigation Measure: Conditions III.F and IV.A.II (Prevention of Soil Instability)

Monitoring Program: The Grading Permit and Building Permit for phase 1 will not be issued by County Planning until a geotechnical engineer's review and approval letter is submitted specifying plan conformance with the geotechnical report. Planning staff inspection for the Grading Permit will include verification of the required 25 foot setback from the top of the steep slope. Neither the Building Permit nor the Grading Permit will be **final**ed without a final inspection and approval letter from the project geotechnical engineer. All review letters shall be permanently retained in the project file.

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- B. Mitigation Measure: Conditions III.G, V.B. and VI.C (Provide and Monitor Silt and Grease Traps)

Monitoring Program: The Grading Permit and Building Permit for phase 1 will not be issued by County Planning without the appropriate number of silt and grease traps identified on the final drainage plan. Planning staff inspection of the Grading Permit and sign-off for the Building Permit will not occur until the traps have been installed according to the approved plans. The owner/applicant shall submit monitoring reports, as specified by condition VI.C to the Drainage Section of the County Public Works Department. Public Works will advise County Planning of any problems with trap maintenance or non-receipt of monitoring reports. In that case, Planning will contact the property owner and take appropriate enforcement action to correct the problem.

- C. Mitigation Measure: Condition IV.A. 12 (Minimization of Visual Impacts)

Monitoring Program: The requirements of this condition will be checked during plan review ("Zoning Plan Check") of the construction drawings submitted for Building Permits. A Building Permit for phase 1 and subsequently phase 2 will not be issued until the drawings conform with the requirements of this permit condition. Planning staff will verify all requirements have been met in the construction of the project before holds on the Building Permits for each construction phase have been released. Photos of each completed phase of the project will be taken at the time the hold is released and permanently retained in the project file.

- D. Mitigation Measure: Condition IV.B (Improvements to the Water Treatment facilities of the Davenport Water and Sanitation District)

Monitoring Program: The owner/applicant shall enter into an agreement with the DWSD to provide the needed improvements to the domestic water system as required by condition IV.B. The Building Permit for each phase of construction will not be issued by County Planning until a written notification from the DWSD staff has been received specifying that an agreement between the owner/applicant and DWSD has been approved. Requirements to implement the agreement shall be specified in this notification. Final inspection and clearance of the Building Permit for each phase shall not be granted until all requirements have been adequately implemented to the satisfaction of the DWSD staff. Another written notification shall be submitted to Planning by DWSD when all improvements required at each construction phase are completed. All notifications from DWSD shall be permanently retained in the project file.

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- E. Mitigation Measure: Condition IV.C (Improvements to sewer facilities of the Davenport Water and Sanitation District)

Monitoring Program: The Building Permit for each construction phase shall not be issued by County Planning until all fees are paid as required by condition IV.C. DWSD shall notify County Planning in writing when the appropriate fees have been paid. This notification shall be permanently retained in the project file. These fees will be added to other monies secured by the DWSD to finance sewer replacements. DWSD will advise County Planning and the owner/applicant in writing when the sewer improvements are completed.

- F. Mitigation Measure: Condition V.A (Transport of Excess Fill to Approved Fill Site)

Monitoring Program: The owner/applicant shall inform Big Creek Lumber at least 30 days prior to making an application for a Grading Permit to confirm that the excess fill material can be deposited at Big Creek's lumber yard. If Big Creek no longer wants the material, the owner/applicant shall find another appropriate fill site to propose to County Planning. The Grading Permit shall not be approved until written permission from the fill recipient is provided and the site has been approved by County Planning for inclusion into the Grading Permit. The owner/applicant shall submit written verification from the fill material recipient (Big Creek Lumber or other approved fill site) to County Planning staff specifying the approximate volume of fill material received from the project during phase 1 construction. The hold on the Building Permit for phase 1 will not be released nor the Grading Permit finalized by County Planning until this letter is received. This documentation shall be permanently retained in the project file.

- G. Mitigation Measure: Condition V.B. (Installation of Drainage Improvements)

Monitoring Program: The hold on the Building Permit for phases 1 and 2 shall not be released by Planning staff until all drainage improvements have been installed according to the approved plans.

- H. Mitigation Measure: Condition V.C (Minimization of Dust During Construction)

Monitoring Program: County Planning staff, including the area Building Inspector, shall observe dust containment measures on the site during construction at all regular inspections. Any observed problems will be

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communicated immediately to the work crew and owner/applicant for rectification in 24 hours. A follow-up inspection will occur in 24 hours to verify the problem has been corrected.

- I. Mitigation Measure: Condition V.D (Construction of Pedestrian Stairway and Prevention of Erosion on Slope)

Monitoring Program: The owner/applicant shall submit engineered plans and a geotechnical report for a Building Permit application to construct the stairway described in condition V.D. The plans and geotechnical report shall be approved and the Building Permit issued before any other Building Permits are issued for this site. The construction of the stairway shall be completed and a final inspection letter from the geotechnical engineer submitted to County Planning before the hold on phase 1 construction is released.

- J. Mitigation Measure: Condition V.E (Noise Insulation)

Monitoring Program: The owner/applicant shall include information of the construction drawings for phases 1, 2 and 3 describing how highway noise reduction will be achieved for interior spaces. Building Permits for each phase shall not be issued until noise insulation measures have been approved by Building Plan Check staff. The area Building Inspector shall verify that noise insulation/reduction measures have been adequately installed during regular construction inspections. The Building Permit will not be finalized without noise reduction measures being approved.

- K. Mitigation Measure: Condition V.F (Improvements to Avoid Traffic Conflicts)

Monitoring Program: The construction drawings for phase 2 shall include the improvements specified by condition V.F as well as a letter from Caltrans demonstrating that the agency has reviewed and approved the plans for these improvements. The Building Permit will not be issued until these requirements have been met. Planning staff will inspect the site to verify that the improvements have been installed as approved. The hold on the Building Permit for phase 2 will not be released until the improvements have been adequately installed. Photos documenting the improvements will be taken and permanently retained in-the project file.

- L. Mitigation Measure: Condition VI.B (Maintenance of Landscaping)

Monitoring Program: Planning staff shall observe the condition of landscaping during each site inspection. Enforcement staff shall respond to

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citizen complaints regarding landscape maintenance. Any problems shall be immediately communicated to the owner/applicant with follow-up inspections to verify resolution of problems.

Minor variations to this permit which do not affect the overall concept or density may be approved by the Planning Director at the request of the applicant or staff in accordance with Chapter 18.10 of the County Code.

PLEASE NOTE: THIS PERMIT EXPIRES TWO YEARS FROM DATE OF APPROVAL UNLESS YOU OBTAIN YOUR BUILDING PERMIT AND COMMENCE CONSTRUCTION.

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