

## **ATTACHMENT 2: CONDITIONS OF APPROVAL** **WITH ATTACHED DEPARTMENTAL LETTERS**

1. **Proj Des-01 Project Description.** The project includes a request for approval of a Development Plan to permit the construction of a new 6,723 square foot (gross) shell office building. The office building would include two restrooms containing locker facilities, an employee break room, a shower room, one utility room, and one mechanical room located immediately adjacent to the main entry in the northwest corner of the building totaling 1,292 square feet. The remaining 5,431 square feet of the ground floor is designed as an open floor plan allowing for tenant improvements. The structure would measure a maximum of approximately 22'-6 1/4" feet in height from existing grade. The project would include a new surface parking lot with four compact spaces, 2 carpool spaces (defined as 2 or more persons per car for 4 or more times per week, except part-time employees who are eligible if they carpool every day that they work), 15 regular spaces, 1 electric vehicle space, and 1 handicapped accessible parking space, for a total of 23 parking spaces on site. Four bike lockers and two outdoor bike parking spaces are additionally provided. The site would receive 5,174 square feet of new landscaping. One coast live oak (*Quercus agrifolia*) tree is proposed for removal and would be replaced with three, 24-inch box coast live oaks to be planted onsite. A block site wall measuring between 0-6 feet in height, starting south of the new driveway along Patterson Avenue and extending south approximately 235 feet is proposed along the western property line. Grading would include approximately 1,213 cubic yards of cut, 849 cubic yards of fill and 364 cubic yards of export.

Transportation Demand Strategies to be implemented by prospective future tenants would include employer subsidized bus passes for employees who use transit; implementation of a sustainable transportation information center within the employee break room to display transportation information; assignment of a Transportation Coordinator to implement and monitor the occupying tenant's transportation information center, work with Traffic Solutions to develop and fine tune alternative transportation methods for the site's employees, assist employees wishing to participate in an alternative mode of transportation, encourage participation and assist employees in registering semi-annually with the Smart Ride ride-matching program offered by Traffic Solutions, assist employees in registering with the Emergency Ride Home Program offered by Traffic Solutions, and conduct an orientation meeting with new employees to review the alternative transportation resources available.

Access would be provided via a new two-way driveway connecting to Patterson Avenue at the northwest corner of the property. The property is a vacant 0.54-acre parcel zoned C-2 and shown as Assessor's Parcel Number 067-200-005, located at 80 North Patterson Avenue in the Eastern Goleta Valley area, 2nd Supervisorial District.

2. **Proj Des-02 Project Conformity.** The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of the structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the approved hearing exhibits and conditions of approval thereto. All plans (such as Landscape and Tree Protection Plans) must be submitted for review and approval and shall be implemented as approved by the County.

**CONDITIONS BY ISSUE AREA**

3. **Aest-04 BAR Required.** The Owner/Applicant shall obtain Board of Architectural Review (BAR) approval for project design. All project elements (e.g., design, scale, character, colors, materials and landscaping) shall be compatible with vicinity development and shall conform in all respects to previous BAR approval (16BAR-00000-00154).  
**TIMING:** The Owner/Applicant shall submit architectural drawings of the project for review and shall obtain final BAR approval prior to issuance of Zoning Clearance. Grading plans, if required, shall be submitted to P&D concurrent with or prior to BAR plan filing.  
**MONITORING:** The Owner/Applicant shall demonstrate to P&D compliance monitoring staff that the project has been built consistent with approved BAR design and landscape plans prior to Final Building Inspection Clearance.
  
4. **Aest-10 Lighting.** The Owner/Applicant shall ensure any exterior night lighting installed on the project site is of low intensity, low glare design, minimum height, and shall be hooded to direct light downward onto the subject lot and prevent spill-over onto adjacent lots. The Owner/Applicant shall install timers or otherwise ensure lights are dimmed after 10 p.m.  
**PLAN REQUIREMENTS:** The Owner/Applicant shall develop a Lighting Plan, including lighting fixtures, for BAR approval incorporating these requirements and showing locations and height of all exterior lighting fixtures with arrows showing the direction of light being cast by each fixture.  
**TIMING:** Lighting shall be installed in compliance with this measure prior to Final Building Inspection Clearance.  
**MONITORING:** P&D and BAR shall review a Lighting Plan for compliance with this measure prior to Zoning Clearance issuance for structures. P&D Permit Compliance staff shall inspect structures upon completion to ensure that exterior lighting fixtures have been installed consistent with their depiction on the final Lighting Plan.
  
5. **Air-01 Dust Control.** The Owner/Applicant shall comply with the following dust control components at all times including weekends and holidays:
  - a. Dust generated by the development activities shall be kept to a minimum with a goal of retaining dust on the site.
  - b. During clearing, grading, earth moving, excavation, or transportation of cut or fill materials, use water trucks or sprinkler systems to prevent dust from leaving the site and to create a crust after each day's activities cease.
  - c. During construction, use water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the site.
  - d. Wet down the construction area after work is completed for the day and whenever wind exceeds 15 mph.
  - e. When wind exceeds 15 mph, have site watered at least once each day including weekends and/or holidays.
  - f. Order increased watering as necessary to prevent transport of dust off-site.
  - g. Cover soil stockpiled for more than two days or treat with soil binders to prevent

dust generation. Reapply as needed.

- h. If the site is graded and left undeveloped for over four weeks, the Owner/Applicant shall immediately: (i) Seed and water to re-vegetate graded areas; and/or (ii) Spread soil binders; and/or; (iii) Employ any other method(s) deemed appropriate by P&D or APCD.

**PLAN REQUIREMENTS:** These dust control requirements shall be noted on all grading and building plans.

**PRE-CONSTRUCTION REQUIREMENTS:** The contractor or builder shall provide P&D monitoring staff and APCD with the name and contact information for an assigned onsite dust control monitor(s) who has the responsibility to:

- a. Assure all dust control requirements are complied with including those covering weekends and holidays.
- b. Order increased watering as necessary to prevent transport of dust offsite.
- c. Attend the pre-construction meeting.

**TIMING:** The dust monitor shall be designated prior to 1<sup>st</sup> Grading or Building Permit. The dust control components apply from the beginning of any grading or construction throughout all development activities until Final Building Inspection Clearance is issued.

**MONITORING:** P&D processing planner shall ensure measures are on plans. P&D grading and building inspectors shall spot check; Grading, Building, and Permit Compliance staff shall ensure compliance onsite. APCD inspectors shall respond to nuisance complaints.

- 6. **CulRes-09 Stop Work at Encounter.** The Owner/Applicant and/or their agents, representatives or contractors shall stop or redirect work immediately in the event archaeological remains are encountered during grading, construction, landscaping or other construction-related activity. The Owner/Applicant shall retain a P&D approved archaeologist and Native American representative to evaluate the significance of the find in compliance with the provisions of Phase 2 investigations of the County Archaeological Guidelines and funded by the Owner/Applicant.

**PLAN REQUIREMENTS:** This condition shall be printed on all building and grading plans.

**MONITORING:** P&D permit processing planner shall check plans prior to approval of grading and building plans and P&D compliance monitoring staff shall spot check in the field throughout grading and construction.

- 7. **Noise-02 Construction Hours.** The Owner /Applicant, including all contractors and subcontractors shall limit construction activity, including equipment maintenance and site preparation, to the hours between 8:00 a.m. and 5:00 p.m. Monday through Friday. No construction shall occur on weekends or State holidays. Non-noise generating interior construction activities such as plumbing, electrical, drywall and painting (which does not include the use of compressors, tile saws, or other noise-generating equipment) are not subject to these restrictions.

Any subsequent amendment to the Comprehensive General Plan, applicable Community or Specific Plan, or Zoning Code noise standard upon which these construction hours are based shall supersede the hours stated herein.

**PLAN REQUIREMENTS:** The Owner/Applicant shall provide and post a sign stating these restrictions at all construction site entries.

**TIMING:** Signs shall be posted prior to commencement of construction and maintained throughout construction.

**MONITORING:** The Owner/Applicant shall demonstrate that required signs are posted prior to grading/building permit issuance and pre-construction meeting. Building inspectors and permit compliance staff shall spot check and permit compliance staff shall respond to complaints.

8. **NPDES-23 SWQMP-Operation:** The Owner/Applicant shall submit and implement a Storm Water Quality Management Plan (SWQMP) designed to prevent the entry of pollutants from the project site into the storm drain system after development. The SWQMP shall follow the County Stormwater Technical Guide (See Project Clean Water's Condition Letter, dated November 10, 2016) and shall identify:
  - a. A combination of structural and non-structural Best Management Practices (BMPs) from the California Storm Water BMP Handbook for New Development and Redevelopment (California Storm Water Quality Association), or other approved methods;
  - b. Potential pollutant sources that may affect the quality of the storm water discharges;
  - c. Design and placement of structural and non-structural BMPs to address identified pollutants;
  - d. Inspection and maintenance program;
  - e. Method for ensuring maintenance of all BMPs over the life of the project.

**PLAN REQUIREMENTS:** The Owner/Applicant shall (1) submit the SWQMP to Project Clean Water for review and approval prior to issuance of Zoning Clearance; (2) include design and field components on land use, grading and building plans as applicable; (3) post performance securities prior to rough grade inspection, and if appropriate for landscape installation, prior Building Inspection Clearance to ensure installation and maintenance.

**TIMING:** SWQMP measures shall be constructed and operational prior to rough grade inspection (if feasible), and if appropriate for landscape installation, prior to Final Building Inspection Clearance. The Owner shall maintain the SWQMP components for the life of the project and keep a record of maintenance and submit the maintenance record to P&D/Project Clean Water compliance monitoring staff annually between October 1st and 31st. The Owner/Applicant shall record a buyer notification prior to issuance of Zoning Clearance that states: "IMPORTANT: BUYER NOTIFICATION" and contains the maintenance requirement language above.

**MONITORING:** The Owner/Applicant shall demonstrate to Project Clean Water that SWQMP components are in place prior to Final Building Inspection Clearance. The installation security shall be released upon satisfactory installation of all items in approved plans and the maintenance security shall be released after five consecutive years of satisfactory maintenance and maintenance reporting. P&D compliance monitoring staff and Public Works-Water Resources Division staff will review required maintenance records.

9. **Parking-02 Onsite Construction Parking.** All construction-related vehicles, equipment staging and storage areas shall be located onsite and outside of the road and highway right of way. The Owner/Applicant shall provide all construction personnel with a written notice of this requirement and a description of approved parking, staging and storage areas. The notice shall also include the name and phone number of the Owner/Applicant's designee

responsible for enforcement of this restriction.

**PLAN REQUIREMENTS:** Designated construction personnel parking, equipment staging and storage areas shall be depicted on project plans submitted for Zoning Clearance and Building.

**MONITORING:** P&D permit compliance and Building and Safety shall confirm the availability of designated onsite areas during construction, and as required, shall require re-distribution of updated notices and/or refer complaints regarding offsite parking to permit compliance staff.

10. **SolidW-03 Solid Waste-Construction Site.** The Owner/Applicant shall provide an adequate number of covered receptacles for construction and employee trash to prevent trash & debris from blowing offsite, shall ensure waste is picked up weekly or more frequently as directed by Permit Compliance, and shall ensure site is free of trash and debris when construction is complete.

**PLAN REQUIREMENTS:** All Building plans shall contain notes that the site is to remain trash-free throughout construction.

**TIMING:** Prior to building permit issuance, the Owner/Applicant shall designate and provide P&D with the name and phone number of a contact person(s) responsible for trash prevention and site clean-up. Additional covered receptacles shall be provided as determined necessary by P&D.

**MONITORING:** Permit compliance monitoring staff shall inspect periodically throughout grading and construction activities and prior to Final Building Inspection Clearance to ensure the construction site is free of all trash and debris.

11. **WatCons-03 Water Conservation in Landscaping.** The project is subject to the California Water Conservation in Landscaping requirements. Prior to issuance of the Zoning Clearance, the Owner/Applicant shall fill out, obtain the stamp of the appropriate licensed professional, sign, and submit to P&D a Water Efficient Landscape Ordinance Supplemental application.

**TIMING:** The supplemental application shall be completed, stamped, signed, and submitted to P&D prior to issuance of the Zoning Clearance. The landscape and irrigation shall be installed per plan prior to Final Building Inspection Clearance.

**MONITORING:** Permit Compliance shall check in the field prior to Final Building Inspection Clearance.

12. **WatCons-05 Reclaimed Water for Dust Suppression:** Reclaimed water shall be used for all dust suppression activities during grading and construction.

**PLAN REQUIREMENTS:** This measure shall be included as a note on the grading plan.

**TIMING:** Prior to the commencement of earth movement, the Owner/Applicant shall demonstrate to the P&D permit processing planner and Building & Safety that non-potable or reclaimed water shall be supplied to the project site during all ground disturbances when dust suppression is required.

**MONITORING:** P&D compliance monitoring staff shall inspect activities in the field to ensure non-potable water is being used for dust suppression.

13. **WatCons-09 Compliance with Strictest Conservation Regs.** Final landscape plans shall comply with the most stringent applicable State and/or local regulations for landscape irrigation water conservation in effect at the time of the plan-check application for the final landscape plans. Relevant regulations include the Governor's emergency drought

declaration and recent changes to State Model Water Efficient Landscape Ordinance and California Green Building Code. Compliance may require a re-design from previously approved Conceptual Landscape plans. Landscape areas and tree coverage may not be reduced. In the instance where any differences exist between the requirements of this condition and elements of other permit conditions, the requirements of this condition shall prevail.

14. **WatConv-04 Equipment Storage-Construction.** The Owner/Applicant shall designate a construction equipment filling and storage area(s) to contain spills, facilitate clean-up and proper disposal and prevent contamination from discharging to the storm drains, street, drainage ditches, creeks, or wetlands. The areas shall be no larger than 50 x 50 foot unless otherwise approved by P&D and shall be located at least 100 feet from any storm drain, waterbody or sensitive biological resources.  
**PLAN REQUIREMENTS:** The Owner/Applicant shall designate the P&D approved location on all Zoning Clearance and Building permits.  
**TIMING:** The Owner/Applicant shall install the area prior to commencement of construction.  
**MONITORING:** P&D compliance monitoring staff shall ensure compliance prior to and throughout construction.
  
15. **WatConv-05 Equipment Washout-Construction.** The Owner/Applicant shall designate a washout area(s) for the washing of concrete trucks, paint, equipment, or similar activities to prevent wash water from discharging to the storm drains, street, drainage ditches, creeks, or wetlands. Note that polluted water and materials shall be contained in this area and removed from the site as necessary. The area shall be located at least 100 feet from any storm drain, waterbody or sensitive biological resources.  
**PLAN REQUIREMENTS:** The Owner/Applicant shall designate the P&D approved location on all Zoning Clearance and Building permits.  
**TIMING:** The Owner/Applicant shall install the washout area prior to commencement of construction.  
**MONITORING:** P&D compliance monitoring staff shall ensure compliance prior to and throughout construction.
  
16. **Right-Of-Way Encroachment Permits.** Encroachment permits shall be obtained for all development and landscaping within the right-of-way.  
**TIMING:** Prior to SBAR final approval and Zoning Clearance issuance, the Owner/Applicant shall obtain all necessary encroachment permits.  
**MONITORING:** Permit processing planner shall ensure the necessary encroachment permits have been obtained prior to Zoning Clearance Issuance.

## **COUNTY RULES AND REGULATIONS**

17. **Rules-03 Additional Permits Required.** The use and/or construction of any structures or improvements authorized by this approval shall not commence until the all necessary planning and building permits are obtained. Before any Permit will be issued by Planning and Development, the Owner/Applicant must obtain written clearance from all departments having conditions; such clearance shall indicate that the Owner/Applicant has satisfied all pre-construction conditions. A form for such clearance is available from Planning and

Development.

18. **Rules-05 Acceptance of Conditions.** The Owner/Applicant's acceptance of this permit and/or commencement of use, construction and/or operations under this permit shall be deemed acceptance of all conditions of this permit by the Owner/Applicant.
19. **Rules-07 DP Conformance.** No permits for development, including grading, shall be issued except in conformance with an approved Final Development Plan. The size, shape, arrangement, use, and location of structures, walkways, parking areas, and landscaped areas shall be developed in conformity with the approved development plan.
20. **Rules-14 Final DVP Expiration.** Final Development Plans shall expire five years after the effective date unless substantial physical construction has been completed on the development or unless a time extension is approved in compliance with County rules and regulations.
21. **Rules-18 CUP and DVP Revisions.** The approval by the Planning Commission of a revised Final Development Plan shall automatically supersede any previously approved Final Development Plan upon the effective date of the revised permit.
22. **Rules-20 Revisions to Related Plans.** The Owner/Applicant shall request a revision for any proposed changes to approved permit plans. Substantial conformity shall be determined by the Director of P&D.
23. **Rules-23 Processing Fees Required.** Prior to issuance of Zoning Clearance, the Owner/Applicant shall pay all applicable P&D permit processing fees in full as required by County ordinances and resolutions.
24. **DIMF-24a DIMF Fees-Library.** In compliance with the provisions of ordinances and resolutions adopted by the County, the Owner/Applicant shall be required to pay development impact mitigation fees to finance the development of facilities for libraries. Required mitigation fees shall be as determined by adopted mitigation fee resolutions and ordinances and applicable law in effect when paid. [LUDC §35.84.030]. The total Library DIMF amount is currently estimated to be \$1,647.14 (2018-19 Development Impact Mitigation Fee Summary Sheet). This is based on a project type of Non-Retail Commercial and a project size of 6,723 square feet.  
**TIMING:** Library DIMFs shall be paid to Planning & Development Department prior to Final Building Permit Inspection and shall be based on the fee schedules in effect when paid, which may increase at the beginning of each fiscal year (July 1st).
25. **DIMF-24b DIMF Fees-Public Administration.** In compliance with the provisions of ordinances and resolutions adopted by the County, the Owner/Applicant shall be required to pay development impact mitigation fees to finance the development of facilities for public administration. Required mitigation fees shall be as determined by adopted mitigation fee resolutions and ordinances and applicable law in effect when paid. [LUDC §35.84.030]. The total Public Administration DIMF amount is currently estimated to be \$7,099.49 (2018-19 Development Impact Mitigation Fee Summary Sheet). This is based on a project type of Non-Retail Commercial and a project size of 6,723 square feet.  
**TIMING:** Public Administration DIMFs shall be paid to Planning & Development

Department prior to Final Building Permit Inspection and shall be based on the fee schedules in effect when paid, which may increase at the beginning of each fiscal year (July 1st).

26. **DIMF-24c DIMF Fees-Sheriff.** In compliance with the provisions of ordinances and resolutions adopted by the County, the Owner/Applicant shall be required to pay development impact mitigation fees to finance the development of facilities for the County Sheriff. Required mitigation fees shall be as determined by adopted mitigation fee resolutions and ordinances and applicable law in effect when paid. [LUDC §35.84.030]. The total County Sheriff DIMF amount is currently estimated to be \$3,791.77 (2018-19 Development Impact Mitigation Fee Summary Sheet). This is based on a project type of Non-Retail Commercial and a project size of 6,723 square feet.  
**TIMING:** County Sheriff DIMFs shall be paid to Planning & Development Department prior to Final Building Permit Inspection and shall be based on the fee schedules in effect when paid, which may increase at the beginning of each fiscal year (July 1st).
27. **DIMF-24d DIMF Fees-Fire.** In compliance with the provisions of ordinances and resolutions adopted by the County, the Owner/Applicant shall be required to pay development impact mitigation fees to finance the development of facilities for the Fire Department. Required mitigation fees shall be as determined by adopted mitigation fee resolutions and ordinances and applicable law in effect when paid. [LUDC §35.84.030]. The total Fire DIMF amount is currently estimated to be \$6,319.62 (2018-19 Development Impact Mitigation Fee Summary Sheet). This is based on a project type of Non-Retail Commercial and a project size of 6,723 square feet.  
**TIMING:** Fire DIMFs shall be paid to the County Fire Department prior to Final Building Permit Inspection and shall be based on the fee schedules in effect when paid, which may increase at the beginning of each fiscal year (July 1st).
28. **DIMF-24e DIMF Fees-Parks.** In compliance with the provisions of ordinances and resolutions adopted by the County, the Owner/Applicant shall be required to pay development impact mitigation fees to finance the development of facilities for the Parks Department. Required mitigation fees shall be as determined by adopted mitigation fee resolutions and ordinances and applicable law in effect when paid. The total Parks DIMF amount is currently estimated to be \$18,777.34 (2018-19 Development Impact Mitigation Fee Summary Sheet).  
**TIMING:** Parks DIMFs shall be paid to the County Parks Department prior to Final Building Permit Inspection and shall be based on the fee schedules in effect when paid, which may increase at the beginning of each fiscal year (July 1st).
29. **DIMF-24g DIMF Fees-Transportation.** In compliance with the provisions of ordinances and resolutions adopted by the County, the Owner/Applicant shall be required to pay development impact mitigation fees to finance the development of facilities for transportation. Required mitigation fees shall be as determined by adopted mitigation fee resolutions and ordinances and applicable law in effect when paid. The total DIMF amount is currently estimated to be \$242,784 (Condition Letter dated January 4, 2018).  
**TIMING:** Transportation DIMFs shall be paid to the County Public Works Department-Transportation Division prior to Final Building Permit Inspection and shall be based on the fee schedules in effect when paid, which may increase at the beginning of each fiscal year (July 1st).

30. **Rules-26 Performance Security Required:** The Owner/Applicant shall post separate performance securities, the amounts and form of which shall be approved by P&D, to cover the full cost of installation and maintenance of landscape and irrigation, and installation and maintenance of Storm Water Control Plan components. Installation securities shall be equal to the value of a) all materials listed or noted on the approved referenced landscape plan and Storm Water Control Plan, and b) labor to successfully install the materials. Maintenance securities shall be equal to the value of maintenance and/or replacement of the items listed or noted on the approved referenced plans for five years of maintenance of the items.

The installation security shall be released when P&D determines that the Owner/Applicant has satisfactorily installed of all approved landscape & irrigation, and Storm Water Control Plan components per their respective conditions requirements. Maintenance securities shall be released after the specified maintenance time period and when all approved landscape & irrigation, and Storm Water Control Plan components have been satisfactorily maintained. If they have not been maintained, P&D may retain the maintenance securities until satisfied. If at any time the Owner fails to install or maintain the approved landscape and irrigation and Storm Water Control Plan components, P&D may use the security to complete the work.

**TIMING:** Performance securities shall be collected prior to issuance of Zoning Clearance.

**MONITORING:** Project Clean Water sign-off of the Zoning Clearance shall be required prior to issuance in regards to the Storm Water Control Plan. P&D Processing Planner shall submit documentation regarding the installation and maintenance securities, for landscaping and storm water control plan requirements, to Accounting. Permit Compliance will coordinate with Accounting at the appropriate times to release the securities, as applicable.

31. **Rules-29 Other Dept Conditions.** Compliance with Departmental/Division letters required as follows:
  - a. Air Pollution Control District dated November 4, 2016;
  - b. Project Clean Water dated November 10, 2016;
  - c. Flood Control Water Agency dated April 18, 2017;
  - d. Parks Department dated December 11, 2017;
  - e. Transportation Division dated January 4, 2018;
  - f. Environmental Health Services dated March 7, 2017.

32. **Rules-30 Plans Requirements.** The Owner/Applicant shall ensure all applicable final conditions of approval are printed in their entirety on applicable pages of grading/construction or building plans submitted to P&D or Building and Safety Division. These shall be graphically illustrated where feasible.

33. **Rules-31 Mitigation Monitoring Required.** The Owner/Applicant shall ensure that the project complies with all approved plans and all project conditions including those which must be monitored after the project is built and occupied. To accomplish this, the Owner/Applicant shall:
  - a. Contact P&D compliance staff as soon as possible after project approval to provide the name and phone number of the future contact person for the project and give

estimated dates for future project activities;

- b. Sign a separate Agreement to Pay for compliance monitoring costs and remit a security deposit [\$3,000 major PMC fee] prior to issuance of Zoning Clearance as authorized by ordinance and fee schedules. Compliance monitoring costs will be invoiced monthly and may include costs for P&D to hire and manage outside consultants when deemed necessary by P&D staff (e.g. non-compliance situations, special monitoring needed for sensitive areas including but not limited to biologists, archaeologists) to assess damage and/or ensure compliance. In such cases, the Owner/Applicant shall comply with P&D recommendations to bring the project into compliance. The decision of the Director of P&D shall be final in the event of a dispute. Monthly invoices shall be paid by the due date noted on the invoice;
  - c. Note the following on each page of grading and building plans “This project is subject to Condition Compliance Monitoring and Reporting. All aspects of project construction shall adhere to the approved plans, notes, and conditions of approval;
  - d. Contact P&D compliance staff at least two weeks prior to commencement of construction activities to schedule an on-site pre-construction meeting to be led by P&D Compliance Monitoring staff and attended by all parties deemed necessary by P&D, including the permit issuing planner, grading and/or building inspectors, other agency staff, and key construction personnel: contractors, sub-contractors and contracted monitors among others.
34. **Rules-33 Indemnity and Separation.** The Owner/Applicant shall defend, indemnify and hold harmless the County or its agents or officers and employees from any claim, action or proceeding against the County or its agents, officers or employees, to attack, set aside, void, or annul, in whole or in part, the County's approval of this project. In the event that the County fails promptly to notify the Owner / Applicant of any such claim, action or proceeding, or that the County fails to cooperate fully in the defense of said claim, this condition shall thereafter be of no further force or effect.
35. **Rules-37 Time Extensions-All Projects.** The Owner / Applicant may request a time extension prior to the expiration of the permit or entitlement for development. The review authority with jurisdiction over the project may, upon good cause shown, grant a time extension in compliance with County rules and regulations, which include reflecting changed circumstances and ensuring compliance with CEQA. If the Owner / Applicant requests a time extension for this permit, the permit may be revised to include updated language to standard conditions and/or mitigation measures and additional conditions and/or mitigation measures which reflect changed circumstances or additional identified project impacts.

### **PROJECT SPECIFIC CONDITIONS**

36. **Transportation Demand Management Monitoring.** Compliance with the Transportation Demand Management (TDM) strategies in the project description (Condition No. 1) by future tenants shall be verified through annual monitoring reports to P&D. **TIMING:** The occupying tenant(s) shall submit annual monitoring reports to P&D by January 31<sup>st</sup> for the

first five years of tenant occupancy, documenting compliance with these measures for the prior year. After five years, the reports shall be available to P&D upon request. Upon change of occupancy by a new tenant(s), reports shall be submitted to P&D for a new initial 5-year period. **MONITORING:** P&D Compliance Monitoring staff shall review the annual reports to confirm compliance with the TDM measures.