

ORDINANCE NO. 951  
EXHIBIT C

PRECISE DEVELOPMENT PLAN AND DESIGN REVIEW  
FOR THE RESIDENTIAL COMPONENT OF THE 2000 LARKSPUR LANDING  
CIRCLE PROJECT PRELIMINARY DEVELOPMENT PLAN  
FINDINGS, DEVELOPMENT STANDARDS AND CONDITIONS OF  
APPROVAL

FINDINGS

Precise Development Plan

1. **That the Precise Development Plan for the residential component of the 2000 Larkspur Landing Circle Project is in conformance with the General Plan of the City.** The Precise Development Plan for the residential component of the Project is substantially in conformance with the Preliminary Development Plan, Ordinance No. 948, and the proposed amendments to Ordinance 948 contained herein. A detailed discussion of General Plan conformance is provided in detail in the record, including the Planning Commission Staff Report dated July 19, 2005.
2. **That the Precise Development Plan for the residential component of the 2000 Larkspur Landing Circle Project is found to be in conformance with the Preliminary Development Plan for 2000 Larkspur Landing Circle Project.** The Precise Development Plan for the residential component of the 2000 Larkspur Landing Circle Project is found to be in substantial conformance with the Preliminary Development Plan, Ordinance No. 948, and the proposed amendments to Ordinance 948 contained herein. A detailed discussion of conformance is provided in detail in the record, including the Planning Commission Staff Report dated October 23, 2006.
3. **That the proposed P-D district, or a given phase thereof, can be substantially completed within four years of the establishment of the P-D district.** The applicants have indicated a desire to proceed with the project upon receiving entitlements from the City. All elements of the project could be completed within four years.
4. **That each individual phase of development, as well as the total development, can exist as an independent unit capable of creating an environment of sustained desirability and stability or that adequate assurance will be provided that such objective will be attained; that the uses proposed will not be detrimental to present and potential surrounding uses, but will have a beneficial effect which could not adequately be achieved under other zoning districts.** As demonstrated by this application, the residential component of the Project can exist as a separate unit capable of creating an environment of sustained desirability and stability.
5. **That the streets and thoroughfares proposed are suitable and adequate to carry anticipated traffic, and increased densities will not generate traffic in such amounts as to overload the street network outside the P-D districts.** The traffic analysis prepared for the project by Dowling Associates, Inc. (dated November 20, 2003 and updated in an Addendum letter dated April 29, 2004), is still applicable and valid for the residential component of the Project. The analysis concluded that the project would not cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system, and would not result in a project-specific traffic impact.
6. **That the area surrounding said development can be planned and zoned in coordination and substantial compatibility with the proposed residential development.** The subject residential component of the Project is still an infill site, surrounded by properties that are either developed, are under construction, or a part of the same Preliminary Development Plan area. Therefore, it is not anticipated that the surrounding properties will be subject to rezoning. The redesigned project proposal provides additional open space and buffering between the residential and non-

residential uses, thereby avoiding potential impacts, and allowing the two uses to co-exist on the project site.

7. **That existing or proposed utility services are adequate for the population densities proposed.** The project has not been significantly altered from the Preliminary Development Plan such that the utility companies should not be able to adequately serve the proposed development.

#### Design Review

1. **Criteria.** The proposed structure or alteration is substantially in conformance with LMC 18.64.050, **Criteria for Approval of Applications.** The proposed development has been reviewed with regard to the criteria for approval listed in Section 18.64.050 and found to be consistent. As discussed in detail in the Staff Report to the Planning Commission dated October 24, 2006, the proposed site plan, building elevations and landscape plan reflect an attractively designed project that will blend with the surrounding development as well as its natural setting.
2. **Compatibility with Neighbors.** The height, elevations, and placement of the site of the proposed structure or addition are consistent with the prevailing neighborhood architectural character and scale and with the existing pattern of development in the neighborhood and/or commercial area. Further, the proposed structure or addition avoids significant and unreasonable loss or interference with privacy, light, solar access, and prominent scenic views (i.e. views of hillsides, Mt. Tamalpais, and San Francisco Bay from primary living areas.) Great care has been taken to ensure that the project will maintain views both on- and off-site. Buildings have been placed on the site to preserve views of Mt. Tamalpais from Tubb Lake and Miwok Park, while orienting units to take advantage of spectacular views towards Mt. Tamalpais, San Francisco Bay and the ferry terminal, and surrounding hillsides.
3. **Bulk.** The orientation and scale of the proposed structure or addition in relation to the immediate neighborhood minimizes the perception of excessive bulk. The proposed structure or addition employs architectural features and details, which minimize, rather than accentuate, the prominence of the structure. Buildings have been located on the site and in relationship to each other to minimize appearances of mass and bulk. Buildings have been designed to sit into the terrain, with subterranean parking. The use of a variety of colors and finishes as well as building fenestrations and design details will avoid large unbroken architectural planes.
4. **Overall Design.** Architectural features of multiple structures, additions, or design elements combine together in an attractive and visually cohesive manner. Further, the overall composition of the proposed structures is compatible with and complements the historic, architectural, and/or aesthetic character of the neighborhood or commercial area. These considerations include, but are not limited to, the structure's architectural style. Size and design quality, use of building materials, and similar elements (e.g., relative to residential development, garage location, garage doors, (number and size), window styles, front porches or entry stoops). The project design includes a variety of architectural styles found in Larkspur, providing a modern interpretation of the historical bungalow and craftsman styles. The proposed designs incorporated authentic building elements such as stoops, porches, balconies, courtyards, arbors, trellises, bay windows and a variety of roof forms, including traditional gables and Dutch gables. Exterior finishes for all the residential buildings included stone and brick accents to link these buildings to the site's history of brick making and stone quarrying.
5. **Other Plans and Regulations.** The project is consistent with any applicable specific area, or precise plans and conforms to the standards and regulations of all applicable provisions of the Larkspur Municipal Code. The Design Review application has been found to be consistent with the Preliminary Development Plan

and Precise Development Plan for the 2000 Larkspur Landing Circle Project. The project has been reviewed for consistency with the Larkspur Municipal Code, and with the granting of exceptions as described in detail in the Planning Commission Staff Reports dated July 19, 2005 and October 24, 2006, the project is consistent with the provisions of the Larkspur Municipal Code, including the Zoning Ordinance. A detailed discussion of General Plan conformance is provided in detail in the public record for this project, including the Planning Commission Staff Report dated July 19, 2005.

6. **Public Health, Safety and Welfare.** For multi-unit residential, mixed-use or nonresidential projects, the location, size, design, and characteristics of the proposed structure(s) are compatible with and will not be detrimental to the public health, safety and welfare of the persons residing in or working in the proposed structures or in developments adjacent to the proposed project. This includes the layout of the structures, parking, circulation, pathways, landscaping, and other amenities proposed for the site. The project has been designed to promote the health, safety and welfare of the project residents as well as those visiting the site. Open space for the residents would be provided in private patios, balconies, semi-private courts and paseos and gardens. Open green spaces between residential buildings incorporate pedestrian pathways. Residential clusters have been oriented to maximize views from individual units of Mount Tamalpais, Corte Madera Creek, the hills surrounding Miwok Park, and ferry activity at the Golden Gate ferry terminal. A greenway is proposed along the southeast boundary of the site, between the residential structures and the Brick Kiln. This landscape buffer will maintain views to and from the Brick Kiln, the ferry terminal and the Drake statue. In addition, the proposed development includes a clubhouse with swimming pool, for use by all project residents. This community facility would be located at the heart of the residential development, at the intersection of Spine Road and Spur Road. The proposed location is very appropriate for a community facility, providing an attractive, inviting entry to the project and a convenient location with easy access for all project residents. Solar panels are proposed to heat the swimming pool.

## **DEVELOPMENT STANDARDS**

(Note: The following development standards are revised from the Preliminary Development Plan, Ordinance No. 948, to reflect the Amended Preliminary Development Plan, the Precise Development Plan, and Design Review for the residential component of the 2000 Larkspur Landing Circle Project.)

### **1. Purpose of P-D District**

- a. To provide an attractive entryway at the eastern gateway to the City.
- b. To promote development of both market rate and below-market rate housing by allowing increased density.
- c. To promote development of a variety of housing types within the City.
- d. To protect environmental resources by clustering development.

### **2. Regulations Established**

For purposes of complying with section 18.55.020 (3) of the Zoning Ordinance, the uses proposed for 2000 Larkspur Landing Circle Preliminary Development Plan are deemed to be most similar to the R-3, Third Residential District for the residential portion of the development. Except as otherwise specified herein, the regulations applicable to properties zoned R-3, Third Residential District, as listed in Chapter 18.32 of the City of Larkspur Municipal Code shall apply to the residential component of the 2000 Larkspur Landing Circle Project.

3. **Permitted Uses.** The following uses are permitted in the Precise Development Plan area for the residential component of the 2000 Larkspur Landing Circle Project:

- a. 126 multi-family residential dwelling units in nine structures. At least twenty-five of the units shall be affordable pursuant to Chapter 18.31 of the Larkspur Municipal Code.
  - b. Accessory buildings and uses, including home occupations.
  - c. Community clubhouse.
  - d. Public utility buildings and uses.
4. **Building Height Limit.** An exception to allow residential structures to a height of 55 feet. The maximum height of the clubhouse building shall be 17 feet.
5. **Floor Area Ratio.** An exception to allow a floor area ratio of .85 for the residential portion of the project.
6. **Setbacks.** Setbacks shall be shown on Project Plan Sheet A-2 Setback Plan.
7. **Lot Area.** The minimum lot area for the Greenway Townhouses shall be 700 sq. ft.
8. **Lot Coverage.** The maximum lot coverage for the Greenway Townhouses shall be 100%.
9. **Signs.** Signs shall be permitted only in accordance with Chapter 18.60 of the City of Larkspur Municipal Code. Signs for the residential development are approved as shown on the plans for the Scope of Approval pursuant to the conditions listed herein.
10. **Off-Street Parking Spaces.** Parking shall be provided in accordance with Chapter 18.56 of the City of Larkspur Municipal Code. An exception to allow 11 of the required off-street residential parking spaces to be located on-street.
11. **Open Space.**
- a. Sheet A-1 Site Plan of the Project Plans includes a dedication in the northeast corner of the site, generally as shown on the Preliminary Development Plan for an expansion of Miwok Park. Pedestrian trails shall be provided to create pedestrian access from Lincoln Village Circle to Miwok Park.
  - b. Private and common open space areas shall be as shown on Project Plan Sheets A1 through A4.1.2 except that private open space (i.e., decks) on the upper levels of the Tam View and Parkside buildings shall be a minimum dimension of six feet.
12. **Storage Unit Requirements.** Storage unit requirements for the Parkside and Tam View buildings and for the Greenway Townhouses shall be as shown on Project Plan Sheets A2.2.1, A2.1.1, and A2.3.1, respectively. CarLocker units (storage cages) may be allowed as shown.
13. **Conditions of Approval.** The following conditions of approval shall be applied to the Preliminary Development Plan and Circulation Assessment Permit for property at 2000 Larkspur Landing Circle:
- A. Scope of Approval.
- 1. Project Plans. Approval is based on the plans entitled "2000 Larkspur Landing Circle", prepared by MBH Architects, Smith & Smith Landscape Architects and Land Development Solutions, Inc., dated 18 July 2006, and stamped received October 17, 2006.
  - 2. Plan Modifications.
    - a. Building and site modifications shall be governed by the R-3 district standards as they relate to setbacks, accessory buildings, height, and parking. The Planning Director shall have the authority to grant minor modifications to a Precise Development Plan relative to site improvements

for parking and pedestrian and vehicular safety, if approved by the Public Works Director, and for building modifications not to exceed ten percent (10%) of the number or area currently shown on the Precise Plan and proposed for modification, limited to percentage of lot coverage, floor area ratio, usable outdoor area requirements, landscaping, and façade changes. The intent of this provision is to allow for minor changes in the site plan as construction drawings are finalized and to allow for possible future additions/modifications to the buildings once they are constructed and occupied. Further, once constructed, facade modifications proposed by the homeowners, that do not impact the Development Standards, are subject to Zoning Administrator approval. The management company or homeowners association, whichever is applicable, shall also approve future additions/modifications to the site.

- b. Other modifications from the Development Standards may be permitted, subject to the approval of a Variance as allowed by Chapter 18.72 of the City of Larkspur Municipal Code.
  - c. The management company or homeowners association, whichever is applicable, shall also approve future additions/modifications to the site.
  - d. Major modifications to the Precise Development Plan shall be made in accordance with the procedures set forth in City of Larkspur Municipal Code Section 18.55.140, Modification.
3. List of Conditions. All of the project conditions of approval shall be listed on the cover sheet of the construction plans.
  4. Acoustical Analysis. Prior to issuance of a building permit, the applicant shall have prepared a detailed acoustical analysis to develop sound-rated exterior assemblies that achieve State and City criteria for interior noise. Plans submitted for building permit shall demonstrate conformance with the State and City criteria. The noise consultant shall also submit a letter verifying that the findings of the previous noise analysis remain valid, whether or not the Sanitary District facilities are constructed or relocated from the location shown on the Preliminary Development Plan.
  5. Below Market Rate Units. The applicant shall work with the Marin County Housing Authority to ensure that twenty-five units, as shown on the BMR Unit Location Plan, prepared by Smith & Smith Landscape Architects, dated 18 July 2006, are made affordable and sold to individuals and families earning less than 120 percent of the County's median income in accordance with Larkspur Municipal Code Chapter 18.31. The BMR units shall have deed restrictions to ensure their affordability in perpetuity. Two of the BMR units shown on the second floor of the Parkside Building on the July 2006 project plans shall be relocated to the first floor.
  6. Fireplaces. All fireplaces within the development, whether indoor or outdoor, shall be gas fireplaces.
  7. Tubb Lake Dam. If a legal nexus is found, the applicant may be required to share in the costs to repair the Tubb Lake Dam, pending a determination by the City Attorney. The applicant's share of these costs will be included in the Tentative Map approval.
  8. Tentative and Final Maps. The applicant shall file a Final Map, consistent with a Tentative Map approval, creating the individual residential lots. Conditions applicable to the Tentative Map may be applied as Tentative Map conditions of approval.
  9. Connector Road. Relative to the Connector Road, safety features, such as stop signs, warning lights, low vegetation, etc., recommended by the Director of Public Works that should be incorporated into the roadway design at the

garage entry to Building 9 (Parkside) shall be included as a condition of any Tentative Map approval.

10. Solar Technology. Solar technology shall be installed for the Clubhouse swimming pool.

B. Utilities.

1. All utilities shall be placed underground.
2. The project site shall obtain a sewer connection permit and connect to the public sewer.
3. Surface and subsurface drainage flows shall not be combined, but shall be carried in separate drainage facilities.

C. Biological/Landscaping.

1. Landscaping shall be installed pursuant to Project Plan Sheets L1.0 through L4.1 and as approved by the Larkspur Parks and Recreation Commission on June 15, 2006. Plans shall be reviewed and approved by Marin Municipal Water District prior to issuance of a building permit; any substantial changes to the landscape plan based on MMWD's review shall require review and approval by the Planning Commission. As required by the Preliminary Development plan, the landscape plan provides appropriately defensible space around each structure and avoids all potentially combustible landscaping, such as Scotch broom or Eucalyptus species, within 30 feet of structures, and shall avoid planting pine or Eucalyptus species in locations that could result in deposition of needles or leaves on building roofs. The Covenants, Conditions, and Restrictions for the project shall include a maintenance program to remove all dead vegetation from landscaped areas; the homeowner's association shall be required to implement the maintenance program, and a requirement to perform regular maintenance of landscaped areas shall be included in the Covenants, Conditions and Restrictions.
2. Landscaping shall be installed prior to the issuance of an occupancy permit/final inspection.
3. Tree Mitigation
  - a. Landscaping shall be installed pursuant to Project Sheets L1.0 through L4.1 using all native species throughout the project site except along Larkspur Landing Circle and along the Spine Road to its intersection with the Spur Road at the entry to the project site. (Note: The project was revised to not impact the coast live oak, except at approved through the heritage tree removal permit (HT/Grad 06-5), and grasslands and, therefore, no mitigation is required).
  - b. Replacement trees shall be planted as required in the approval of the Heritage Tree Removal permit (HT/Grad 06-5) and as shown on Project Plan Sheet L4.1 Biological and Tree Mitigation Plan. About 90% of the replacement trees shall be located on the site, including the area proposed for park dedication. The remainder shall be located on the City easement bordering the pedestrian trail outside the property boundary to provide a screen and wildlife corridor between the project and adjoining developments. Up to 10 willows and bays could be planted at Tubb Lake, where a limited amount of suitable space is available.
  - b. The landscape plan shall provide for trees to be planted ranging in size from 5-gallon to 36-inch box as shown on the Landscape Plan Sheets.

c. Up to 20 percent shall be 24-inch box, with the remainder to be a reasonable variety of sizes, with no more than 15 percent in 5-gallon cans. Trees shall be obtained from a reputable native plant nursery.

d. The landscape plans shall provide that the trees be caged and watered through at least the first two dry seasons. A seven-year monitoring plan shall be developed by the project sponsor and approved by the Planning Director prior to the issuance of building permits. The monitoring plan shall include, but not be limited to, the following features:

i. Detailed drawings and specifications defining locations of trees, showing caging installations, and showing irrigation systems.

ii. Monthly inspections by a qualified arborist to ensure that cages and irrigation equipment remain in place and functioning until the arborist determines that they are no longer required.

iii. A written plan for removal of irrigation equipment when the arborist determines that removal is appropriate.

iv. Quarterly inspections by a qualified arborist during the remaining years of the monitoring period, after irrigation equipment is removed.

v. Replanting diseased or damaged trees as necessary to meet the goal identified in Condition e, as follows.

e. The landscape-monitoring plan shall provide that the trees' survival shall be recorded annually and reported to the City for seven years. At the end of seven years, the goal shall be to have at least 2 trees surviving for each tree removed. Prior to issuance of a building permit, the project sponsor shall post a bond or provide other financial assurance in a form approved by the City for payment of this planting and monitoring work or pay the City in advance if the City assumes responsibility for the work.

4. Prior to issuance of a building permit, the applicant shall pay a lump sum to cover the cost of funding ongoing maintenance at Tubb Lake for a period of five years. The sum shall be determined by the Director of Public Works based on past maintenance costs with an inflation factor. The funding method shall be reviewed and approved by the City Attorney. This maintenance shall include:

a. Ongoing removal of floating parrot feather vegetation from the lake.

b. Ongoing removal of French and Scotch Broom from the lakeshore.

c. Allowing natural growth of willows and cattails along the shore.

#### 7. Hazards.

1. Plans submitted for Precise Development Plan have been approved by the Fire Marshall relative the accessibility of all roofs in case of fire. The Fire Marshall shall approve any changes to the roof plans.

#### 8. Parks/Recreation.

1. 1.06 acres shall be dedicated to the City of Larkspur for park use as required by the Preliminary Development Plan approved by Ordinance 948 and as shown on Sheet A.1 Site Plan of the project plans. This dedication shall be accepted by the City of Larkspur to fulfill the land dedication requirements section 17.13.040 of the City of Larkspur Park Dedication Ordinance for the

development of the residential components of the 2000 Larkspur Landing Circle Planned Development District. This dedication shall be offered prior to the filing of a Final Map or issuance of a building permit, whichever occurs first.

2. The developer shall pay Park Improvement Fees for the residential component of the 2000 Larkspur Landing Circle Planned Development District as required by chapter 17.13 of the City of Larkspur Municipal Code.
3. Pedestrian paths shall be provided to the existing boundary of Miwok Park and the Miwok Park access easement on the EAH property to the north (APN 18-191-19). Design of the pedestrian paths shall be subject to review and approval of the Director of Public Works and Director of Parks and Recreation.

B. Transportation.

1. All parking shall be designed and built to meet or exceed City standards.
2. Bike racks shall be installed as shown on Project Plan Sheet A-1 Site Plan and the design shall be approved by the Director of Public Works. Plans submitted for Precise Development

**14. Mitigation Measures based on the Mitigated Negative Declaration that shall be incorporated as conditions of the Precise Development Plan approval.** The following conditions shall be incorporated as conditions of the Precise Development Plan:

A. Aesthetics.

1. Exterior lighting from sources greater than 40 watts shall be shielded such that there is no output above a horizontal line parallel to the ground; the exterior light levels shall be 0.2 foot-candles at the dimmest locations of parking lots and no more than 4-5 foot-candles at the brightest locations on each site; and light spill across property lines shall be no more than 0.1 foot-candles and no direct light source shall be visible at the property line. The project sponsor shall submit a detailed outdoor lighting plan, including computer calculations substantiating dimmest and brightest outdoor light levels at property lines, and including fixture data sheets to substantiate shielding. The lighting plan, prepared by a professional lighting consultant, shall be submitted to the City for review and approval by the Planning and Building Departments prior to issuance of a building permit.

B. Air Quality.

1. The project sponsor shall employ the following measures to reduce the quantity of dust generated during demolition of existing structures and construction of new structures:
  - a. Water to control dust generation during demolition of structures and break-up of pavement and at least twice daily during construction.
  - b. Use dust-proof chutes to load debris into trucks whenever feasible.
  - c. Water or cover stockpiles of debris, soil, sand or other materials that can be blown by the wind.
  - d. Cover all trucks hauling demolition debris, soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard.
  - e. Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites.

- f. Sweep daily (preferably with water sweepers) all paved access roads, parking areas and staging areas at construction sites.
  - g. Sweep streets daily (preferably with water sweepers) if visible soil material is carried onto adjacent public streets.
  - h. Hydro-seed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more.)
  - i. Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.)
  - j. Limit traffic speeds on unpaved areas to 15 mph.
  - k. Install sandbags or other erosion control measures to prevent silt run-off to public roadways.
  - l. Replant vegetation in disturbed areas as quickly as possible.
  - m. Suspend excavation and grading activity when winds (instantaneous gusts) exceed 25 mph.
2. The project sponsor or prime contractor shall designate in the construction contract, a person at the superintendent level or higher to be the dust-control coordinator, subject to approval of the Planning Director, and shall provide this person's telephone number to the Remillard Cottage Children's Daycare Center personnel and surrounding homeowner's associations, and post this information on-site, in the nearby parks, commercial and office buildings and apartment buildings. This person shall respond to complaints within 24 hours or less and have the authority to take corrective action.
  3. Areas to be disturbed within 100 feet of the Remillard Cottage Children's Daycare Center and nearby residences shall be presoaked using sprinklers for 48 hours before commencement of excavation or grading activities and overnight each day during the period of excavation and earthmoving. The dust-control coordinator shall be responsible for ensuring that the required presoaking occurs.

C. Biological Resources.

1. Prior to issuance of any occupancy permit for the site, the project sponsor, in coordination with the City shall provide paved or decomposed granite paths and signs around Tubb Lake to minimize shoreline disturbance and wildlife harassment.

D. Cultural Resources.

1. The following steps shall be implemented during drilling for foundation piers (if the foundation type is used) in the area where important archaeological resources may occur:
  - a. An experienced archaeologist shall be present for continuous monitoring of removal of drilled soils, including observation of soils in their stratigraphic layers as they are removed. The archaeological monitor shall be permitted to take appropriate samples as warranted.
  - b. The archaeologist shall be authorized to stop or redirect project activity until an evaluation of the presence and integrity of any identified resource can be made.
  - c. If it is determined that the archaeological resources are potentially significant, the archaeologist shall be authorized to undertake appropriate measures, including further evaluation and data recovery of artifacts in removed soils.
  - d. Immediately following drilling of each pier hole, all artifacts removed must be appropriately catalogued. During and/or following on-site monitoring, all

artifacts removed must be analyzed and, if appropriate, curated in a suitable repository.

e. If human remains are encountered during drilling activities, drilling at that location shall stop and the Marin County Coroner shall be notified (as required by California Health and Safety Code). In the event that the human remains are believed to be those of a Native American, the Most Likely Descendent will be identified, who will formulate an appropriate treatment plan in consultation with the archaeologist (as required by California Public Resources Code Section 5097.98). An appropriate treatment plan is expected to include removal of the remains with scientific recording and study, and timely return of the remains to the Most Likely Descendent for final re-interment.

f. A final report shall be prepared describing methods used, results and findings of the archaeological monitoring and mitigation program. Copies of the final report shall be provided to the Planning Department and the California Archaeological Site Survey Northwest Information Center.

2. An experienced archaeologist shall be present for all earthmoving activities, excavation, and foundation placement below the level of the ground surface existing as of July 2000 within Area 2 on the project site (as shown on Figure 2 of the Holman & Associates Memorandum titled *Proposal and Summary of Work to Date at 2000 Larkspur Landing Circle, Larkspur*, dated April 10, 2000) to provide continuous monitoring of removal of soils, including observation of soils in their stratigraphic layers as they are removed. The archaeologist shall be permitted to take appropriate samples as warranted. If resources are encountered, the steps outlined in Condition 13, above, shall be followed, substituting "excavation and grading" for "drilling" where appropriate.

#### E. Geology.

1. The project sponsor shall prepare and submit to the City Engineer for review and approval a Final Geotechnical Investigation Report for the proposed project buildings prior to or at the same time as building plans are submitted for building permit review and shall demonstrate compliance with all findings and recommendations in the Treadwell and Rollo preliminary geotechnical reports dated March 29, 1999, March 30, 2000, and October 9, 2003, unless these recommendations are expressly superseded in the Final Geotechnical Investigation Report. Prior to issuance of occupancy permits, a statement from the geotechnical engineer shall be provided verifying that the recommendations of all approved geotechnical reports have been completed.

#### F. Hazards.

1. Construction shall not begin until after the remediation proposed in the *Phase II Soil Investigation of Import Fill, Former Waste Water Treatment Plant Site, 2000 Larkspur Landing Circle, Larkspur, California*, prepared by Questa Engineering Corporation, dated June 2004, has been completed. Prior to issuance of a grading permit for the project, a statement from Questa or, a qualified engineering consultant, shall be submitted verifying that the remediation work has been completed in accordance with the remediation recommendations and requirements.
2. Prior to issuance of a building permit, the project sponsor shall prepare plans that include fire suppression systems such as sprinklering of buildings proposed on the project site, subject to the review and approval of the Fire Marshall.
3. Prior to issuance of grading permits associated with placement of imported fill, the project sponsor shall provide certification to the City that the imported

fill has been tested and found to contain no California Code of Regulations Title 17 hazardous substances in concentrations exceeding San Francisco Bay RWQCB Environmental Screening Levels, or US Environmental Protection Agency, Region IX Preliminary Remediation Goals for residential sites.

G. Water Quality.

1. The project sponsor shall prepare and implement a Construction Stormwater Pollution Prevention Plan (SWPPP) including Best Management Practices (BMPs) to minimize the discharge of sediment and other pollutants during the construction phase of the project. The exact locations, extent, nature, and details of the BMPs shall be worked out in consultation with, and subject to review and approval of, the City Engineer prior to the issuance of grading permits. BMPs shall include but not be limited to:
  - a. Project sponsor shall require that daily watering for dust control, soil stabilization controls, and perimeter silt fences be employed. Erosion control practices must be specified for the fill placement and compaction phase of the project. End-of-pipe sediment control measures (e.g., basins and traps) shall be used only as secondary measures. If, following the placement and compaction of fill, hydroseeding is selected as the primary soil stabilization method, then all areas shall be seeded by September 1 and irrigated as necessary to ensure that adequate root development has occurred prior to October 1.
  - b. Project sponsor shall require that site drainage shall be prevented from contacting stored construction materials, equipment, and maintenance supplies (i.e., fuels, lubricants, paints, solvents, and adhesives), as well as waste construction materials and supplies, through the use of elevated platforms or berms or other diversion structures. Supply and waste storage areas shall be located at least 50 feet from drainage facilities and watercourses and shall not be located in any area prone to flooding.
  - c. Project sponsor shall require that material and waste storage areas are protected from rainfall.
  - d. Site supervisors shall conduct weekly on-site meetings to discuss pollution prevention. All construction personnel shall be required to attend such meetings.
  - e. Project sponsor shall require that vehicle and equipment wash-down facilities be employed prior to exiting the site. These facilities shall be accessible and functional during both dry and wet conditions.
  - f. The Construction SWPPP shall be maintained on-site and made available to Regional Water Quality Control Board staff upon request.
2. The project sponsor shall prepare a Stormwater Management Plan (SWMP) specifying Best Management Practice to minimize impacts to surface water quality during the operational lifetime of the project. The sponsor shall incorporate as many concepts as practicable from *Start at the Source, Design Guidance Manual for Stormwater Quality Protection*. The exact locations, extent, nature, and details of the BMPs shall be worked out in consultation with, and subject to review and approval of, the City Engineer prior to the issuance of grading permits. Measures shall include but not be limited to:
  - a. Weekly street sweeping.
  - b. Implementing a Pesticide Management Program, including:
    - i. Properly identifying pests in order to select appropriate control.
    - ii. Not injuring non-target species.
    - iii. Not disposing of waste pesticides on site.
    - iv. Applying only the needed amount of pesticide.

- c. Marking storm drain inlets “Drains to Bay”.
- d. Distributing pollution prevention educational materials to occupants of the completed project.
- e. Installing and maintaining a vegetated bioswale on the south and east sides of the site for storm drainage.
- f. Using an in-line vortex device to remove debris, floatables, and sediment from storm drain flows not filtered through the bioswale.

The final design of project hydrologic features shall include measures designed to mitigate potential water quality degradation of runoff from all portions of the completed development. The SWMP shall describe how funding for long-term maintenance of the swale and vortex treatment device will be accomplished.

- 3. All parking lot and building pad elevations shall be designed and constructed to be above 6.4 feet NGVD. In addition, the site drainage plan shall provide detailed plans for modification of the inlet structure to the 36-inch culvert crossing under East Sir Francis Drake Boulevard. The modified structure shall be designed to maximize the inlet efficiency and be designed in compliance with all requirements of the City of Larkspur Public Works Department and approved by the Director of Public Works.

#### H. Noise.

- 1. The project sponsor shall include in construction contracts a requirement that the construction contractor comply with the City Noise Ordinance limitations on hours of construction (Monday through Friday 7 a.m. to 6 p.m., Saturday, Sunday and legal holidays 9 a.m. to 5 p.m.), and with requirements to install intake and exhaust mufflers on construction equipment and install acoustical shields or shrouds on pavement breakers and jackhammers.
- 2. Portable generators shall be placed on the site as far as possible from the Remillard Cottage Children’s Daycare Center and residences (at a minimum, far enough away to maintain an indoor noise level not to exceed 45 dBA and an outdoor noise level not to exceed 60 dBA ), and the contractor shall be required to obtain line power within 4 weeks of initial use of a portable generator near these uses.
- 3. Noise insulation features shall be incorporated in the design of the proposed residential development, especially in residential buildings adjacent to East Sir Francis Drake Boulevard to reduce residents’ exposure to vehicular traffic noise on this major arterial, and in residential buildings adjacent to the Sanitary District No. 1 maintenance facility to reduce residents’ annoyance with noise from the adjacent facility. The construction drawings submitted to the City for review shall demonstrate conformance with this requirements and shall include a noise analysis of the Sanitary District facility operations and shall demonstrate that all project residential buildings will meet the requirements of Goal 11 of the *Larkspur General Plan* Health and Safety Element and of California Code of Regulations Title 24 requirements specifying interior noise levels of 45 dBA or less with windows closed. In addition, a written report from a qualified noise consultant shall be provided verifying that, consistent with the Mitigated Negative Declaration for the 2000 Larkspur Landing Circle Project, the activities at the Sanitary District facility will not cause the interior noise level standards (Goal 11 and Title 24) at the proposed hotel and the residential buildings proposed on APN 18-191-19 to be exceeded.
- 4. To reduce exterior noise levels in exterior activity areas to the extent feasible, for the buildings sited closest to East Sir Francis Drake Boulevard these areas

shall be located on the sides of buildings away from East Sir Francis Drake Boulevard. Prior to issuance of a building permit, the project sponsor shall provide evidence that building designs reduce exterior noise levels in primary outdoor living spaces to 55 dBA CNEL, to the satisfaction of the Planning Director.

I. Transportation.

1. The project sponsor shall contribute traffic impact fees as part of the Circulation Assessment Permit which would, in turn, provide a portion of the funds for planned improvements along Sir Francis Drake Boulevard and East Sir Francis Drake Boulevard.
2. The project sponsor shall notify the Golden Gate Bridge Highway and Transportation District (Golden Gate Transit) at least 90 days in advance of any site preparation activities that would displace ferry parking for daytime Giants baseball games or other ferry parking, to provide sufficient time for Golden Gate Transit to make alternative parking arrangements.