

**CITY OF WATSONVILLE
CITY COUNCIL**

EXHIBIT “B”

Application No: PP2019-432/APP#18

APNs: 018-241-20

Applicant: Pacific Coast Development

Hearing Date: February 23, 2021

**DESIGN REVIEW PERMIT
CONDITIONS OF APPROVAL**

General Conditions:

1. **Approval.** This approval applies to the Plan Set identified as “The Residence at 558 Main” located at 558 Main Street, Watsonville, CA 95076, dated and received by the Community Development Department on November 19, 2020, and filed by William J. Hansen and Neva J. Hansen, co-trustees of The Hansen Family Trust dated March 27, 2001 as property owners and Pacific Coast Development. As developer. (CDD-P)
2. **Conditional Approval Timeframe.** This Design Review Permit with Density Bonus and Environmental Review (PP2019-432/APP#18) shall expire and be null and void if not acted upon within **24 months** from the effective date of the approval thereof. Time extensions may be considered upon receipt of written request submitted no less than forty-five (45) days prior to expiration and in accordance with the provisions of Section 14-10.1201 of the Watsonville Municipal Code (WMC). (CDD-P)
3. **Modifications.** Modifications to the project or conditions imposed may be considered in accordance with WMC Sections 14-12.1000 and 14-10.1305. All revisions shall be submitted prior to field changes and are to be clouded on the plans. (CDD-P)
4. **Substantial Compliance.** Project development shall be accomplished in substantial accordance with the approved Plan Set. Any required revisions to the Plan Set shall be completed to the satisfaction of the Community Development Director or designee. (CDD-P)
5. **Grounds for Review.** The project shall be in compliance with the conditions of approval, all local codes and ordinances, appropriate development standards, and current City policies. Any deviation will be grounds for review by the City and may possibly result in revocation of the Special Use Permit or Design Review Permit, pursuant to Part 13 of WMC Chapter 14-10, or other code enforcement actions, pursuant to WMC Chapter 14-14. (CDD-P)

6. **Appeal Period/Effective Date.** This Special Use Permit with Design Review shall not be effective until **14 days** after approval by the decision-making body or following final action on any appeal. (CDD-P)
7. **Necessary Revisions.** The applicant shall make and note all revisions necessary to comply with all conditions of approval. The applicant shall certify in writing below the list(s) of conditions that the building plans comply with the conditions of approval. (CDD-P)
8. **Conditions of Approval.** A copy of the final conditions of approval must be printed on the first or second sheet of plans submitted for future permits. ***Plans without the conditions of approval printed directly on the first or second page will not be accepted at the plan check phase.*** (CDD-P)
9. **Required Statement.** The applicant and contractor who obtains a building permit for the project shall be required to sign the following statement, which will become conditions of the building permit:

“I understand that the subject permit involves construction of a building (project) with an approved Special Use Permit with Design Review. I intend to perform or supervise the performance of the work allowed by this permit in a manner which results in a finished building with the same level of detail, articulation, and dimensionality shown in the plans submitted for building permits. I hereby acknowledge that failure to construct the building as represented in the building permit plans, may result in delay of the inspections process and/or the mandatory reconstruction or alteration of any portion of the building that is not in substantial conformance with the approved plans, prior to continuation of inspections or the building final.”

Signature of Building Contractor

Date

Affordable Housing Condition:

10. **Density Bonus (Affordable) Housing Agreement.** The applicant shall record a Density Bonus Housing Agreement prior to issuance of a building permit. The Council, by Resolution, shall process, review, and consider the Density Bonus Housing Agreement in the same manner it considers Affordable Housing Agreements pursuant to WMC Section 14-46.110. (CDD-P, CA)

Building and Fire-related Conditions:

11. **Required Permits.** The applicant shall obtain all required building permits (Building, Electrical, Plumbing, Mechanical, Grading, etc.) for this project. (CDD-B-E)

12. **Building Code.** Project construction shall comply with the California Building Code as adopted by the City. (CDD-B)
13. **Fire Code.** Project construction shall comply with California Fire Code as adopted by the City. (WFD)
14. **Energy Efficiency.** The project design shall conform with energy conservation measures articulated in Title 24 of the California Administrative Code and will address measures to reduce energy consumption such as low-flow shower heads, flow restrictors for toilets, low consumption lighting fixtures, and insulation and shall use drought tolerant landscaping. (CDD-B)

Prior to or concurrent with the submittal of a Building Permit Application, the following requirements shall be met:

15. **Stormwater Control Plan Revisions.** Submit a revised stormwater control plan that shows the calculations and rationale behind the design concepts for review by the City Engineer. Provide the specifications for the proposed permeable paving system. Attachment of the manufacturer's specifications to the updated stormwater control plan will be acceptable.
 - A. Sign the Maintenance of Structural of Treatment Control Best Management Practices Agreement. (CDD-E)
16. **East Lake Avenue Access.** Submit a conformed copy of recorded twenty-foot-wide fire vehicle easement grant deed over assessor's parcels 018-241-39, -34, -35, and -45 with amended legal description across APN 018-241-39 as shown on the conceptual plans. Twenty-foot-wide easement grant deed shall be signed by all owners of parcels 018-241-39, -34, -35, and -45 in favor of all owners of APN 018-241-20. Provide title report(s) for parcels 018-241-39, -34, -35, and -45 showing twenty-foot-wide easement grant deed encumbering parcels 018-241-39, -34, -35, and -45. (CDD-P, E, WFD).
17. **Brennan Street Access.** Revise the plans to show:
 - A. Lane striping within the alley to and from Brennan Street and signs at the driveway to increase drivers' awareness of appropriate vehicle position within the cross-section of the driveway and alley.
 - B. A convex mirror on the south side of the driveway at Brennan Street providing visibility around the corner of the existing building for drivers exiting the site and drivers entering from southbound Brennan Street.
 - C. A sound and light alert system for pedestrians on the Brennan Street sidewalk to alert pedestrians to cars approaching the intersection from the driveway.
 - D. Removal of any improvements over the 6.5 foot easement and show 20-foot clear width and 13'-6" vertical clearance for fire vehicle access (CDD-P, WFD)

18. **Colors & Materials.** Plans submitted for building permit shall indicate that all final colors and materials shall be consistent with the colors and materials approved by this permit. (CDD-P)
19. **Landscaping & Irrigation Plan.** The applicant shall submit three copies of the final Landscaping and Irrigation Plan for review and approval by the Community Development Director prior to issuance of a building permit. The Landscaping Plan shall provide drought-tolerant plants suitable for the Central Coast region. The Irrigation Plan shall provide an automatic water system (e.g., drip system) to irrigate all landscape areas. (CDD-B-E-P)
 - A. **LANDSCAPING** – The Landscape Plan shall indicate the types, quantities, locations and sizes of all plant material, including any existing major vegetation designated to remain and method of protecting planting areas from vehicular traffic. The Landscape Plan shall be drawn to scale, and plant types shall be clearly located and labeled. The plant list shall give the botanical name, common name, gallon sizes to be planted, and quantity of each planting. A minimum of 25 percent of all shrub material shall have a minimum 5-gallon container size. (CDD-E-P)
 - B. **IRRIGATION SYSTEM** – Automatic, low-flow irrigation system(s) shall be installed in all landscaped areas. Irrigation shall be programmed for night or early morning hours in order to minimize evaporation. (CDD-P)
 - C. **WATER CONSERVATION** – The project shall utilize water conservation, water recycling, and xeriscaping to the maximum extent possible. Irrigation systems shall be designed and maintained to avoid run-off, over-spray, or other similar conditions where water flows to waste. (CDD-B-E-P)
 - D. **NEW TREES** – The final landscape plan shall include the provision of at least 4 trees in the rear parking area, 3 of which shall be a minimum 24" box size. The tree to be placed in the Filterra tree well shall be a minimum 15-gallon. A minimum of 8 trees shall be installed in the second floor courtyard. A minimum of 3 24" inch box trees shall be installed within tree grates on Main Street in front of the building. (CDD-P)
 - E. **LANDSCAPE & IRRIGATION INSTALLATION** – All landscaping and irrigation shall be approved and installed prior to occupancy of the project. (CDD-P)
 - F. **WATER EFFICIENT LANDSCAPE ORDINANCE** – The applicant shall submit a landscape documentation package and demonstrate compliance with the Model Water Efficient Landscape Ordinance, pursuant to WMC Section 6-3.801. (CDD-P-E)

20. **Lighting.** A photometric plan shall be submitted for review and approval by CDD staff. Plans submitted for building permit issuance shall show the locations and details of any exterior lighting fixtures. All lighting shall be downward facing and/or shielded and shall not spillover onto adjacent property, or public roadways. (CDD-P)
21. **Street Frontage Improvements.** The applicant shall install street improvements as follows:
 - A. Remove and replace all existing Main Street frontage improvements and replace with new curb, gutter and sidewalk.
 - B. The driveway approach at Brennan Street shall be removed and replaced per COW Standard S-101. (CDD-E)
22. **Utility Connection.** The project shall connect to City utilities. Provide completed civil plans to show how all of the existing and proposed underground utilities on- and off-site will serve the project.
 - A. Verify that the elevation of the proposed (N) 6" private sanitary sewer will tie into the 10" City sewer main without requiring a new sewer lift station passing through any other utilities.
 - B. If there is an existing private sanitary sewer lateral serving this parcel, it must be abandoned to the satisfaction of the City Engineer.
 - C. Project shall comply with WMC 6-3.504- sanitary sewer lateral and connection permits are required. (CDD-E)
23. **Utility Capacity.** The developer shall video-inspect the existing sewer lateral and 10" sewer main before construction to verify existing conditions. Submit capacity calculations to verify that existing utilities have the ability to carry the new proposed flows for the development. (CDD-E)
24. **Dog Park Catch Basin.** The new catch basin proposed for serving the dog park shall be designed to prevent any stormwater from outside the dog park from entering the catch basin. (CDD-E)
25. **Back-Flow Preventer.** All utilities shall be required to be back-flow protected per COW Standard W-10 or W-11 depending on the size of the new water meter. (CDD-E)
26. **Fire Service.** The existing water line serving the project from Brennan Street shall be resized to meet minimum requirements for fire flow. (WFD)
27. **Fire Hydrant.** The exact location of the new fire hydrant shall be established prior to construction. The developer is responsible for coordinating with the Fire Inspector to determine the proper location. (WFD)

28. **On/Off Site Permit.** Separate On/Off Site Permits are required for work in the public right-of-way and on the project site. The applicant shall obtain an encroachment permit for all off-site work. (CDD-E)
29. **Mechanical Equipment Screening.** All new mechanical equipment and appurtenances, including gas and water meters, electrical boxes, roof vents, air conditioners, antennas, etc. visible from the public way and from adjacent properties, shall be screened with material compatible with the materials of the building and shall be subject to the approval of the Zoning Administrator. (CDD-P)
30. **Address Assignment.** Prior to building permit issuance, complete and submit an application for address assignment. (CDD-E)
31. **California Building Code** All construction activities shall meet the California Building Code for seismic safety. Construction plans shall be subject to review and approval of the City prior to the issuance of a building permit. All work shall be subject to inspection by the City and must conform to all applicable code requirements and approved improvement plans prior to final inspection approval or the issuance of a certificate of occupancy. The Applicant shall be responsible for notifying construction contractors about California Building Code regulations for seismic safety. (CDD-B)
32. **Erosion and Sediment Control Plan or Stormwater Pollution Prevention Plan**
The Applicant shall submit an Erosion and Sediment Control Plan or Stormwater Pollution Prevention Plan prepared by a registered professional engineer or qualified stormwater pollution prevention plan developer as an integral part of the grading plan. The Plan shall be subject to review and approval of the City prior to the issuance of a grading permit. The Plan shall include all erosion control measures to be used during construction, including run-on control, sediment control, and pollution control measures for the entire site to prevent discharge of sediment and contaminants into the drainage system. The Plan shall include the following measures as applicable:
 - A. Throughout the construction process, ground disturbance shall be minimized, and existing vegetation shall be retained to the extent possible to reduce soil erosion. All construction and grading activities, including short-term needs (equipment staging areas, storage areas and field office locations) shall minimize the amount of land area disturbed. Whenever possible, existing disturbed areas shall be used for such purposes.
 - B. All drainage ways, wetland areas and creek channels shall be protected from silt and sediment in storm runoff using appropriate BMPs such as silt fences, diversion berms and check dams. Fill slopes shall be stabilized and covered when appropriate. All exposed surface areas shall be mulched and reseeded. All cut and fill slopes shall be protected with hay mulch and/or erosion control blankets, as appropriate.

- C. All erosion control measures shall be installed according to the approved plans prior to the onset of the rainy season but no later than October 15th. Erosion control measures shall remain in place until the end of the rainy season but may not be removed before April 15th. The applicant shall be responsible for notifying construction contractors about erosion control requirement.
 - D. Example design standards for erosion and sediment control include, but are not limited to, the following: avoiding disturbance in especially erodible areas; minimizing disturbance on slopes exceeding 30 percent; using berms, swales, ditches, vegetative filter strips, and catch basins to prevent the escape of sediment from the site; conducting development in increments; and planting bare soils to restore vegetative cover.
 - E. The applicant will also develop an inspection program to evaluate if there is any significant on-site erosion as a result of the rainfall. If there were problem areas at the site, recommendations will be made to improve methods to manage on-site erosion. (CDD-E, PW)
33. **Construction Period Transportation Impacts.** The applicant shall submit a Construction Period Traffic Control Plan to the City for review and approval. The plan shall include traffic safety guidelines compatible with section 12 of the Caltrans Standard Specifications ("Construction Area Traffic Control Devices") to be followed during construction. The plan shall also specify provision of adequate signing and other precautions for public safety to be provided during project construction. In particular, the plan shall include a discussion of bicycle and pedestrian safety needs due to project construction and later, project operation. In addition, the plan shall address emergency vehicle access during construction. The applicant or their general contractor for the project shall notify the Public Works & Utilities Department and local emergency services (i.e., the Police and Fire Departments) prior to construction to inform them of the proposed construction schedule and that traffic delays may occur.

Prior to approval of a grading permit, the City shall review and approve the project Construction Period Traffic Control Plan. During construction, the City shall periodically verify that traffic control plan provisions are being implemented. (CDD-E, PW)

Prior to permit issuance, the following conditions shall be addressed:

34. **Preconstruction Meeting.** Prior to issuance of a building permit or the commencement of any site work, the project applicant and the general contractor shall attend a pre-construction meeting with the Building Official and City staff to discuss the project conditions of approval, working hours, site maintenance and other construction matters. The general contractor shall acknowledge that he/she has read and understands the project conditions of approval, particularly those

pertaining to construction practices and site safety, and will make certain that all project sub-contractors have read and understand them prior to commencing work and that a copy of the project conditions of approval will be posted on site at all times during construction. (CDD-P-B-E)

35. **Solid Waste Service Plan.** Solid waste generated during the construction shall be serviced by the City of Watsonville Solid Waste Enterprise. Applicant shall submit a Solid Waste Service Plan on the City form for review and approval. (CDD-E)
36. **Main Street Frontage Improvements.** Applicant shall secure a Caltrans encroachment permit in order to excavate for new utilities and install frontage improvements. (CDD-E).

During construction, the following conditions shall be adhered to:

37. **Superintendent.** Applicant shall have onsite at all times, a superintendent who shall act as the applicant's representative and as a point of contact for the City's Public Works Inspector. The superintendent shall be authorized by the Owner to direct the work of all contractors doing work on public and private improvements. (CDD-E, PW)
38. **Best Management Practices (BMPs).** Provide BMPs during construction to prevent sediment, debris and contaminants from draining offsite. BMPs shall comply with the City of Watsonville Erosion Control Standards and the Erosion and Sediment Control Field Manual by the California Regional Water Quality Control Board - Central Coast Region, latest edition. All erosion control shall be installed prior to October 15 and be maintained in place until April 15. Provide a note on the improvement plans stating that construction should take place between April 15 and October 15. The applicant shall ensure that all contractors are aware of all erosion control standards and BMPs. (CDD-E, PW)
39. **BMPs for Controlling Construction Emissions (Monterey Bay Air Resources District Recommendation).** The project applicant shall implement the following Best Management Practices to limit the potential fugitive dust, construction emissions, and odors generated by the project:
 - A. Water all exposed surfaces (e.g., staging areas, soil piles, graded areas, and unpaved access roads) at least two times per day during construction and adequately wet demolition surfaces to limit visible dust emissions.
 - B. Cover all haul trucks transporting soil, sand, or other loose materials off the project site.
 - C. Use wet power vacuum street sweepers at least once per day to remove all visible mud or dirt track-out onto adjacent public roads (dry power sweeping is prohibited) during construction of the proposed project.

- D. Vehicle speeds on unpaved roads/areas shall not exceed 15 miles per hour.
- E. Complete all areas to be paved as soon as possible and lay building pads as soon as possible after grading unless seeding or soil binders are used.
- F. Minimize idling time of diesel-powered construction equipment to five minutes and post signs reminding workers of this idling restriction at access points and equipment staging areas during construction of the proposed project.
- G. Maintain and properly tune all construction equipment in accordance with manufacturer's specifications and have a CARB-certified visible emissions evaluator check equipment prior to use at the site.

Post a publicly visible sign with the name and telephone number of the construction contractor and City staff person to contact regarding dust complaints. This person shall respond and take corrective action within 48 hours. The publicly visible sign shall also include the contact phone number for the Monterey Bay Air Resources Management District to ensure compliance with applicable regulations. (CDD-E, PW, MBARD)

- 40. **Complimentary Dust Control Measures.** To minimize dust/grading impacts during construction the applicant shall:
 - A. Spray water on all exposed earth surfaces during clearing, grading, earth moving and other site preparation activities throughout the day to minimize dust.
 - B. Use tarpaulins or other effective covers on all stockpiled earth material and on all haul trucks to minimize dust.
 - C. Sweep the adjacent street frontages at least once a day or as needed to remove silt and other dirt which is evident from construction activities.
 - D. Ensure that construction vehicles are cleaned prior to leaving the construction site to prevent dust and dirt from being tracked off-site.
 - E. The City shall have the authority to stop all grading operations, if in opinion of City staff, inadequate dust control or excessive wind conditions contribute to fugitive dust emissions. (CDD-E)
- 41. **Unanticipated Discovery of Contaminated Soils.** In the unlikely event that contaminated soils are discovered during the earth-moving activities, all development activities shall cease immediately and remain stopped until an assessment has been completed by a geotechnical firm approved by the City. If

remediation is necessary, the applicant shall enter into a Remedial Action Agreement with the Santa Cruz County Environmental Health Service Agency. (CDD-P-E)

42. **Solid Waste Disposal.** All solid waste generated inside City limits must be hauled from the site of generation by the City of Watsonville Solid Waste Utility Enterprise, pursuant to Chapter 3 (City Utilities) of Title 6 (Sanitation and Health) of the Watsonville Municipal Code. This includes all wastes generated at construction sites, excavation projects, land clearing, demolition, earthwork projects, remodels, grading, and tenant improvement projects as well as ongoing business/residential use on the premises. Applicant shall comply with all applicable requirements for removal and disposal of hazardous materials. (PW)
43. **Work Hours.** No work for which a building permit is required shall be performed within the hours of 7 p.m. to 7 a.m., Monday through Friday, nor prior to 8 a.m. or after 5 p.m. on Saturday. No Work shall occur on Sundays or holidays. A sign shall be posted at a conspicuous location near the main entry to the site, prominently displaying these hour restrictions and identifying the phone # of the Job superintendent. (CDD-B)

Construction notes to be included with the Improvement Plans:

44. **Damaged Public Facilities.** Existing public facilities damaged during the course of construction or in an existing state of disrepair shall be repaired by the applicant, at the applicant's expense, to the satisfaction of the City. (CDD-E)
45. **Inspection Notice.** Contractor shall provide a minimum of 48 hours notice in advance of any required inspection. Any temporary suspension of work or returning to work for any reason shall be cause for the developer or contractor to telephone the Public Works Inspector at 831-768-3100. (CDD-E)
46. **Underground Utilities.** Prior to excavation, contractor shall locate all existing underground utilities. Call Underground Service Alert (U.S.A.) at 1-800-642-2444 to have utilities located and marked in the field. (CDD-E)

Prior to Final Inspection or Certificate of Occupancy, the following conditions shall be met:

47. **Statements of Compliance.** All project design professionals who prepared plans for the project (e.g., civil, structural, and geotechnical engineers) shall provide statements of compliance attesting that they have reviewed the completed project and that it was constructed in conformance with their recommendations and plans. Where special inspections and testing were involved, the letters of compliance shall be accompanied by inspection logs, testing and analysis that support the engineer's conclusions. (CDD-B-E)
48. **Completion of Improvements.** All improvements as shown on the plans must be completed. (CDD-E)

- 49. **Landscaping Installation.** All landscaping and irrigation shall be installed and approved by Community Development Department staff. (CDD-P-E)
- 50. **Trash Removal.** All trash and construction debris shall be removed from the site. (CDD-B, PW)

Ongoing Conditions:

- 51. **Post Construction Stormwater Ordinance – Inspection, Maintenance and Annual Reporting.** Applicant shall perform inspections, maintenance to the post-construction stormwater management facilities and report to the City each year on these activities. (CDD-E, PW)
- 52. **Solid Waste Service.** All trash, recycling and green-waste materials generated onsite shall be disposed of at a City-approved landfill or recycling center. The applicant shall contact the Solid Waste Division of the City Public Works Department to coordinate disposal of all trash, recycling and green-waste materials. (PW)
- 53. **Trash Enclosure Maintenance.** Trash and recycling enclosure shall be maintained to the satisfaction of Watsonville Municipal Services. (PW)
- 54. **Lighting and Landscape Maintenance.** Lighting, landscaping and all other site improvements shall be maintained in perpetuity. Landscaping shall be maintained in good growing condition by a professional landscape maintenance company; and such maintenance shall include, where appropriate, weeding, mowing, pruning, cleaning, fertilizing and regular watering. All dead, dying and diseased vegetation shall be immediately replaced in kind. (CDD-P)
- 55. **Ongoing Maintenance.** Common (patio) areas, landscaping, street trees, driveways, parking areas and spaces, driveways, walks, fences and walls shall be maintained on an ongoing basis by the property owner(s) for the entire development area. (CDD-P)
- 56. **Potential Attractive Pest Nuisance Avoidance.** To ensure trash enclosures do not attract nuisance pest species, such as Norway rat, raccoon, and opossum, the applicant shall develop a monitoring program to ensure trash areas are routinely cleaned and secured at night. (PW)

Future Sign Permit:

- 57. **Sign Permit.** Any proposed new or changed exterior signage for the parcel shall require sign and building permits from the Community Development Department. (CDD-P-B)

Indemnity Provision:

58. **Indemnity Provision.** The applicant shall sign a defense and indemnity contract agreeing to defend, indemnify, and hold harmless the City of Watsonville, its elected and appointed officials, officers, employees, and agents arising out approval of Special Use Permit with Design Review and Environmental Review (PP2019-432/APP#18), including but not limited to any approval or condition of approval of the City employees, City of Watsonville Planning Commission or City Council. The City shall promptly notify the applicant of any claim, action, or proceeding concerning this permit and the applicant and City shall cooperate in the defense of the matter. The City reserves the right to select counsel in the defense of the matter. (CA)

Key to Department Responsibility

CDD-B	–	Community Development Department (Building)
CDD-P	–	Community Development Department (Planning)
CDD-E	–	Community Development Department (Engineering)
PW	–	Public Works Department
WFD	–	Watsonville Fire Department
MBARD	–	Monterey Bay Air Resources District
CA	–	City Attorney