

General Terms and Standard Conditions

The following are general terms and standard conditions that apply to each severable entitlement of the Northgate Town Square Project, hereby the “Project”: the Vesting Tentative Subdivision Map (TS21-002), Master Use Permit (UP21-007), Environmental and Design Review Permit (ED 21-024), and Master Sign Program (SP24-02)

1. For purposes of these Conditions of Approvals, the following terms shall have the following meanings:
 - **“Director”** shall mean the Director of the Community and Economic Development Department
 - **“First building permit”** shall mean any permit required for construction related activities on a structure including permits for building, foundation, or superstructure, but excluding demolition permits.
 - **“Building permit”** shall mean any permit required for construction related activities on a structure including permits for building, foundation, or superstructure, but excluding demolition permits.
 - **“Site development permit”** shall mean any permit required for earth-disturbing activities, including, permits for grading, excavation, shoring, utilities, demolition, site preparation, or any other permits required for earth-disturbing activities, but excluding building permits.
 - **“Applicant”** shall mean Merlone Geier Partners, LLC and/or any successor in interest.
 - **“Property Owner(s)”** shall mean MGP XI Northgate, LLC and/or any successor in interest.
 - **“Project”** shall mean the Northgate Town Square Project as approved by the City of San Rafael and including Phase 1 (2025) and Phase 2 (2040). Phase 1 (2025) includes operation of 501,941 square feet of commercial space, 864 residential units (87 deed restricted below market rate units affordable to low-income households), and privately owned publicly accessible open space and recreational uses including but not limited to the 56,975 square foot Town Square, 9,604 square foot bicycle hub, and bicycle and pedestrian facilities. Phase 2 (2040) includes operation of a total of 219,380 square feet of commercial space, a cumulative total of 1,422 residential units (including 143 deed restricted below market rate units affordable to low-income households).
 - **“Project Site”** shall mean the approximately 44.76 acre property commonly known as the Northgate Mall and encompassing the Project as represented on Sheet SD-12 of the approved plan set. Inclusive of APN #s 175-060-012, -040, -059, -061, -066, and -067.

- **“Privately Owned Publicly Accessible Open Space” or “POPA”** shall mean privately owned publicly accessible open space provided as part of the Project, not including private open space for exclusive use of the residential and residential-mixed use parcels, and inclusive of the Town Square, Bike Hub, Restaurant Entry Plaza, and Corner Monument Rest Stops.
2. The conditions of Project approval set forth herein include certain fees, dedication requirements, reservation requirements and other exactions. Pursuant to Government Code Section 66020(d)(1), these conditions constitute written notice of the statement of the amount of such fees and a description of the dedications, reservation, and other exactions. You are hereby notified that the 90-day period in which you may protest those fees, the amount of which has been identified herein, dedications, reservations, and other exactions required in connection with the instant approvals has begun. If you fail to file a protest complying with all the requirements of Section 66020, you will be legally barred from later challenging such exaction.
 3. In accordance with Government Code Section 66006(e), the Applicant is hereby notified of the right to file with the City Clerk: (a) a request for an audit of the City’s development impact fees in accordance with Government Code Section 66023; and (b) a written request for mailed notices of the City’s public meetings to review annual reports of development impact fees under Government Code Section 66006(b)(1).
 4. At the times (e.g., building permit) provided for in the City’s fee ordinances, the applicant shall pay all applicable City Development Impact fees.
 5. Prior to the approval of any Final Map applicable to a particular portion of the Project Site, the applicant shall pay the applicable Parkland Dedication Fee, as defined by Government Code Section 66477 and set forth in SRMC Chapter 15.09. Said Parkland Dedication Fee shall be based on the number of residential units proposed on parcels associated with each Final Map in accordance with the formula for calculating said fee in SRMC Chapter 15.09. The project does not qualify for any credit for privately owned publicly accessible open space such as the Town Square, consistent with SRMC Section 15.09.055. The fee will be calculated by the City based upon the adopted formula set forth in SRMC 15.09.040.
 6. Prior to issuance of any/each building permit, the applicant shall verify for the City that it has paid all third party-outside agency fees applicable to such portion of the Project, including but not limited to any school fees, water capacity fees, and sewer capacity fees.
 7. Unless a condition includes a different time for payment, the applicant shall pay all applicable City fees prior to the issuance of each building permit.

8. All Conditions of Approval shall be printed on the second sheet of each plan set submitted for a building permit. Additional sheets may also be used if the second sheet is not of sufficient size to list all of the conditions. The sheet(s) containing the conditions shall be of the same size as those sheets containing the construction drawings; 8-1/2" by 11" sheets are not acceptable.
9. Development of the Project and Project Site shall adhere to and be subject to all mitigation measures set forth in the certified Environmental Impact Report (EIR) and adopted Mitigation Monitoring and Reporting Program (MMRP) pursuant to City Council Resolution No. 2024-XXX. The timing and method of compliance with all mitigation measures shall be as specified in the MMRP. The MMRP is attached hereto and incorporated herein by this reference.
10. The applicant shall ensure compliance with all conditions of approval, including submittal to the project planner of required approval signatures at the times specified. Failure to comply with any condition may result in construction being stopped, issuance of a citation, and/or modification or other remedies.
11. All information and representations, whether oral or written, including the building techniques, colors, materials, elevations, and overall appearance of the project, as presented at the Planning Commission meeting dated October 29, 2024, City Council meeting dated November 18, 2024, and as presented in project plans as outlined below shall be the same as required for the issuance of a building permit, except as modified by these conditions of approval. Minor modifications or revisions to the project shall be subject to review and approval by the Director. Modifications deemed not minor by the Director may require review and approval as an amendment to the approved project entitlements including the Master Use Permit (UP21-007), Environmental and Design Review Permit (ED21-024), and/or Master Sign Program (SR24-002), as applicable. Final Maps shall, pursuant to standards set forth in the Subdivision Map Act, substantially conform to Vesting Tentative Subdivision Map (TS21-002).
 - a. Northgate Town Center Development Waste and Recycling Plan, prepared by Recycling & Waste Solutions (RWS), dated July 11, 2023,
 - b. Northgate Town Square Project Description 2024, prepared by Merlone Geier Partners, Document ID 156095944.10, received June 4, 2024
 - c. Northgate Town Square Density Bonus Application, prepared by Merlone Geier Partners, Document ID 156003267.8, received June 4, 2024
 - d. Northgate Town Square Redevelopment Plans, dated June 4, 2024
 - i. Site Design (Sheets SD-1 to SD-16), prepared by Merlone Geier Partners
 - ii. Retail Architecture (Sheets RT-1 to RT-50), prepared by Field Paoli Architects
 - iii. Residential Architecture (Sheets RE-1 to RE-103), prepared by Studio T Square

- iv. Landscape Architecture (Sheets L-1 to L-62), prepared by Urban Arena
 - v. Civil Engineering (Sheets C-0.1 to C-5.29), prepared by CSW/Stuber-Stroh Engineering Group, Inc.
 - vi. Lighting Design (Sheets LT-1 to LT-4), prepared by Oculus Light Studio
- e. Northgate Town Square Master Sign Program, prepared by Merlone Geier Partners and Romero Thorsen Design, dated August 2, 2024
 - f. Northgate Town Square Fire Access Plan, prepared by Merlone Geier et. al (Sheets FIRE-1 to FIRE-15), dated August 15, 2024.
12. Approved use and/or construction is subject to, and shall comply with, all applicable City Ordinances and laws and regulations of other governmental agencies. Prior to any construction, tenant improvement or installation of signage, the applicant shall identify and secure all applicable permits from the Community and Economic Development Department, Public Works Department, and other affected City divisions and departments.
 13. Consistent with the City of San Rafael Municipal Code Section 8.13.050.A, construction hours on private property shall be limited to 7:00 a.m. to 6:00 p.m. Monday through Friday and 9:00 a.m. to 6:00 p.m. on Saturdays. Construction shall not be permitted on Sundays or City-observed holidays. Construction activities shall include delivery of materials, hauling materials off-site; startup of construction equipment engines, arrival of construction workers, playing of radios and other noises caused by equipment and/or construction workers arriving at, or working on, the site.
 14. Any construction work, including on-street traffic control, is subject to review and approval through the Department of Public Works Encroachment Permit process. Truck routes are submitted to review and approval through Department of Public Work's Transportation Permit process and shall comply with City of San Rafael Municipal Code Chapter 5.52.
 15. If potential human remains, cultural, archaeological or paleontological resources are encountered during the course of construction applicant shall comply with City Council Resolution 10980, Mitigation Measures CUL-1a, CUL-1b, CUL-1c, TCR-1a, and TCR-1b, and applicable state law.
 16. Regulatory Compliance Measure 1: Nesting Bird Surveys. If construction, grading, or other project-related construction activities are scheduled during the nesting season, February 1 to September 1, a focused survey for active nests shall be conducted by a qualified biologist within 7 days prior to the beginning of project-related activities. If an active nest is found, the qualified biologist shall delineate a no-work-zone buffer distance around the nest that is site and species specific using high visibility fencing or flagging. The buffer distance shall be specified to protect the bird's normal behavior and prevent nesting failure or abandonment. No work

shall occur within the no-work zone until the nest is no longer active as determined by a qualified biologist. If a lapse in project-related work of 7 days or longer occurs, another focused survey shall occur before project work is reinitiated.

17. Regulatory Compliance Measure 2: Roosting Bat Habitat Assessment and Surveys. Prior to any building demolition or tree removal, a qualified biologist shall conduct a habitat assessment for bats. A qualified bat biologist shall have at least 2 years of experience conducting bat surveys that resulted in detections for relevant species, such as pallid bat, with verified project names, dates, and references, and experience with relevant equipment used to conduct bat surveys. The habitat assessment shall be conducted no more than 15 days prior to tree removal or building demolition and shall include a visual inspection of potential roosting features (e.g., cavities, crevices in wood and bark, exfoliating bark, suitable canopy for foliage roosting species, attics, eaves). If suitable habitat trees or buildings are found, or bats are observed, Regulatory Compliance Measures BIO-3 and BIO-4 shall be implemented.
18. Regulatory Compliance Measure 3: Roosting Bat Building Exclusion Plan. If the qualified biologist identifies buildings scheduled for demolition as potential bat habitat, then building demolition shall not occur until either (1) a qualified biologist conducts night emergence surveys or completes visual examination of roost features that establishes absence of roosting bats, or (2) an appropriate bat eviction and exclusion plan has been approved by the City of San Rafael and implemented. The City of San Rafael shall seek the California Department of Fish and Wildlife's input on the exclusion plan. The plan shall: (a) recognize maternity and winter roosting season as vulnerable seasons for bats and require exclusion outside of these times, generally between March 1 and April 15 or September 1 and October 15; (b) identify suitable areas for excluded bats to disperse or require installation of appropriate dispersal habitat, such as artificial bat houses, prior to project activities and include an associated management and monitoring plan with implementation and funding; and (c) include a requirement that exclusion materials shall be re-evaluated for effectiveness by the qualified biologist up to 2 weeks prior to building demolition.
19. Regulatory Compliance Measure 4: Roosting Bat Tree Protections. If the qualified biologist identifies potential bat habitat trees, then tree trimming and tree removal shall not proceed unless the following occurs: (1) a qualified biologist conducts night emergence surveys or completes visual examination of roost features that establish absence of roosting bats, or (2) tree trimming and tree removal occur only during seasonal periods of bat activity, from approximately March 1 through April 15 and September 1 through October 15, and tree removal occurs using the two-step removal process. Two-step tree removal shall be conducted over two consecutive days. The first day (in the afternoon), under the direct supervision and instruction by a qualified biologist with experience conducting two-step tree removal, limbs and branches shall be removed by a tree cutter using chainsaws only; limbs with cavities, crevices or deep bark fissures shall be avoided. The second day the entire tree shall be removed.

20. The applicant shall submit a Construction Management Plan (CMP) for review and approval by the City prior to issuance of first site development permit for each construction area (e.g., on-site parcel(s) or building site(s), or off-site improvement construction area). The construction management plan shall include, at a minimum, the following information:
 - a. All materials and equipment shall be staged on-site, unless otherwise approved.
 - b. Designated contact information for contractor and property owner to be posted on site in case of noise or other construction-related activities.
 - c. A statement that the project shall conform to the City's Noise Ordinance (Chapter 8.13. of the San Rafael Municipal Code),
 - d. Traffic control plan to address on-site and off-site construction traffic.
 - e. Statement that no construction truck traffic shall encroach into any of the surrounding residential neighborhood streets at any time.
 - f. Location of construction trailers on-site and location of construction worker parking on-site, unless otherwise approved.
 - g. Acknowledgement that the project sponsor shall be required to repair any roadway damage created by the additional construction truck traffic.
 - h. A screened security fence approved by the City shall be placed and maintained around the perimeter of construction areas within the Project and removed immediately following completion of said construction work.
 - i. Proposed construction phasing, schedule of work, and approximate timeline.
 - j. In the event that the CMP is conflicting with any conditions imposed by the grading permit for the project, the more restrictive language or conditions shall prevail.
 - k. Mass grading shall occur between April 15 through October 15, unless otherwise approved in writing by the Department of Public Works.
21. Prior to issuance of the first site development permit for each construction area (e.g., on-site parcel(s) or building site(s), or off-site improvement construction area), a pre-construction meeting shall be held, including representatives from the applicant and the City to review the CMP and including applicable conditions and mitigation measures.
22. Applicant or permittee shall defend, indemnify, and hold harmless the City of San Rafael or its elected and appointed officials, agents, officers, and employees from any claim, action, or proceeding brought by a third party against the City of San Rafael or its elected and appointed officials, agents, officers, or employees to attack, set aside, void, or annul an approval of the Planning Commission, the City Council, the Director, or any other department, committee, or agency of the City concerning a development, variance, permit or land use approval; provided, however, that the Applicant's or permittee's duty to so defend, indemnify, and hold harmless shall be subject to the City promptly notifying the Applicant or permittee of any said claim, action, or proceeding and the City's full cooperation in the Applicant's or permittee's defense of said claims, actions, or proceedings. With

respect to VTSM and final map approvals only, this condition may be limited by Government Code Section 66474.9.

23. If any term, provision, or portion of these conditions or the application of these conditions to a particular situation is held by a court to be invalid, void or unenforceable, the remaining provisions of these conditions, or their application to other actions related to the Project, shall continue in full force and effect unless amended or modified by the City.

Vesting Tentative Subdivision Map (TS21-002)
Conditions of Approval

24. The Vesting Tentative Subdivision Map (hereinafter the "VTSM") (TS21-002) approves the subdivision of six existing lots (APNs 175-060-12, -40, -59, -61, -66, and -67) into 24 new lots, retention of existing utility and access easements, abandonment of existing utility and access easements, and establishment of new utility and access easements established as part of the phased redevelopment of the existing 45-acre site containing the Northgate Mall into a mixed-use development, known as Northgate Town Square ("Project").
25. All Final Maps shall be in substantial conformance with the VTSM and project plans submitted on June 4, 2024, approved by the City Council on November 18, 2024 by Resolution No. 2024-XXX, and in conformance with applicable conditions of approval and mitigation measures. Final Maps may be submitted and recorded in multiple phases.
26. Notwithstanding any vesting conferred by the VTSM, pursuant to Government Code Section 66498.1(c), the City may deny a building permit, approval, extension, or entitlement if it determines any of the following: (1) a failure to do so would place the residents of the subdivision or the immediate community, or both, in a condition dangerous to their health or safety or both; or (2) the condition or denial is required in order to comply with state or federal law.
27. Concurrent with the submittal of each phased Final Map the applicant shall submit the adopted Mitigation Monitoring Fee deposit (\$5,713) to cover the City's costs (including without limitation staff time and consultant fees) to review compliance with conditions of project approval relating to reduction in environmental impacts identified in the project Environmental Impact Report. All staff time shall be billed to the deposit and any additional hours shall be paid by the applicant at the fully burdened hourly rate within 30 days of receipt of invoice.
28. The Applicant shall enter into a reimbursement agreement with the City and provide a deposit in an amount required by the City to fund the City's third-party plan review fees prior to start of review(s). This may include, but not limited to, fees associated with the review of fire protection and alarm systems, traffic, civil engineering, geotechnical engineering, and surveying aspects of future project submissions. All staff time shall be billed to the deposit.

29. The Applicant shall provide a deposit to fund the City's third-party inspection activity during construction of the project. Inspections are required for activities including, but not limited to, on-site fire protection and fire alarm system inspections, grading, traffic, drainage, and encroachment into the public-right-of-way. All staff time shall be billed to the deposit.
30. No Final Map within the Project site will be approved by the City until the Applicant demonstrates, to the reasonable satisfaction of the City Engineer, that all requirements set forth in these Conditions of Approval applicable to such Final Map are completed including:
 - a. Each Final Map is prepared in accordance with the applicable requirements of the San Rafael Municipal Code, applicable State and Federal laws, and the VTSM.
 - b. Consistent with SRMC Section 15.10.020.b, the Applicant shall dedicate a minimum 10-foot wide Public Utility Easement (PUE) within the Property, for the installation, repair, use, operation, and maintenance of other public or private utilities such as electric, gas, telephone, cable TV, and others. Larger public or private utility structures may require additional PUE "bump outs" to accommodate the structures. The Subdivider shall coordinate with the respective owner(s) of the utilities including but not limited to PG&E, AT&T, and Comcast, for the design and installation of these utilities within the Property. Engineering design and construction details of these utilities must be prepared as part of the joint utility trench plans to be submitted for City's review.
 - c. Subdivider shall submit documentation for establishment of any new easements for utilities.
 - d. Subdivider shall submit documentation for vacation or abandonment of existing easements that are to be abandoned.
31. As part of its submittal for an Encroachment Permit consistent with SRMC Chapter 11.04, the Applicant shall include requisite approvals from Las Gallinas Valley Sanitary District for the Northgate Sewer Trunk Line upgrade.
32. Prior to issuance of the first building permit for the Project, the Applicant shall provide requisite approvals from Marin Municipal Water District for extension of purple pipe through the Project Site.
33. Improvement Plans submitted for city approval shall show purple pipe from off-site connections into the project site as necessary to connect each landscape area and building as required to comply with Environmental and Design Review Permit condition nos. 15 and 16.
34. The conditional approval of the VTSM shall confer a vested right to proceed with development in substantial compliance with the city of San Rafael ordinances, policies and standards adopted and in place on the date the VTSM application

has been deemed complete, as described in Section 66474.2 of the Subdivision Map Act.

35. Prior to the first residential certificate of occupancy, the applicant shall upsize the Northgate Trunk Sewer line in coordination with the Las Gallinas Sanitary District (also refer to **Mitigation Measure UTL-1**).
36. Upon submittal of any Final Map, the Applicant shall include proposed street names for all private streets within such Final Map which shall be subject to review and approval by the Community and Economic Development Department, Fire Department, Police Department, and Public Works Department.
37. Concurrently with each Final map applicant shall grant easements for public access, and subject to conditions, to the private streets and pathways (including Multi-modal Class 1 bike lane, Class II bike lanes, Multi-modal shared paths, Multi-modal path with class II bike lane, Class III bike lanes, Bike parking, and Enhanced transit stops) within and around the Project Site and assign maintenance and repair obligations to the property owner.
38. Prior to recordation of any Final Map, Conditions, Covenants, and Restrictions (CC&Rs) shall be submitted for review and approval by the Community and Economic Development Department and the City Attorney's Office. These rules shall be consistent with the City's zoning code and any applicable design and development standard in the Northgate Town Square PD District Standards.
39. CC&Rs shall include stormwater treatment measure reporting provisions to provide required data to Department of Public Works to meet County reporting requirements.
40. CC&Rs shall be enforced by the subdivision owners association and/or other party with responsibility and authority for regulating the site.
41. All easements and restrictions shall be recorded by map and deed in accordance with the provisions of Section 15.10.040 (Recordation of easements and restrictions) of the San Rafael Municipal Code.
42. Transit stop improvement on Lot 7 and as shown in approved project plans shall be completed concurrently with adjacent frontage improvements. The applicant shall coordinate with the respective transit agency operators for the design, construction, and installation of transit stop improvements. Engineering design and construction details of the improvement shall be submitted for City review. The applicant shall dedicate a public access easement for the bus stop. The bus stop shall be maintained by the property owner.
43. All bicycle connectivity improvements as shown on approved Sheets L-3 and L-38 shall be completed/installed concurrently with adjacent connectivity improvements and/or building construction. The design of bike parking/storage adjacent to the public right-of-way shall be submitted to the City for review. The applicant shall

dedicate a public access easement for bike parking/storage directly adjacent to the existing public rights-of-way, including at the two identified transit stops (Los Ranchitos and Las Gallinas), within the entry rest areas at the corner of Northgate Drive and Las Gallinas and adjacent to Residential 4 at Los Ranchitos and Merrydale, and Class II bike parking adjacent to Los Ranchitos near Residential 3 and 4.

44. The applicant shall record each Final Map with the Marin County Recorder's Office prior to the issuance of the first building permit or site development permit for any parcel that is subject to the Final Map.
45. Prior to any Final Map approval, the applicant shall enter into a Subdivision Improvement Agreement which shall provide subdivision improvement plans, prepared by a California registered civil engineer, to meet all requirements set forth for the Final Map filing, as set forth in SRMC Title 15 (Subdivisions) as amended herein, and shall include the following:
 - a. The improvement plans shall show all existing and proposed site improvements and shall conform to the preliminary improvement plans submitted and approved with the VTSM.
 - b. Applicable security to cover the cost of construction and installation of the improvements, consistent with SRMC Section 15.11.060.
 - c. The improvement plans shall show vertical and horizontal alignments of roadway.
 - d. The typical street sections shall be incorporated into the improvement plans in accordance with the approved VTSM.
 - e. All improvements within the development must comply with all applicable requirements of the Americans with Disabilities Act (ADA).
 - f. The onsite traffic circulation and parking plan shall be subject to approval of the City Traffic Engineer and Fire Marshal.
 - g. The improvement plans shall show all proposed and existing utilities. All utilities within the development shall be underground.
 - h. Prior to acceptance of the final map, provide a letter from the respective utility companies:
 - i. Confirming availability and ability to provide services.
 - ii. Review of plans and map for inclusion of easements.
 - iii. Providing requisite documentation for recycled water infrastructure to serve the Project
 - iv. Providing requisite documentation for the upsizing of the Northgate Sewer Trunk Line.
46. Prior to first building permit or site development permit issuance for each construction area (e.g., on-site parcel(s) or building site(s)), storm drain profiles detailing the connections between the private property and City storm drain pipe shall be required to ensure the proposed connections do not conflict with existing

infrastructure. Connection to the City storm drain pipe shall be made through a manhole or inlet structure, unless otherwise approved.

47. Minimum storm drain pipe size in the public right-of-way is 12" HDPE. Blind connections to an existing storm drain pipe are not permitted. Prior to issuance of first building permit or site development permit for each construction area (e.g., on-site parcel(s) or building site(s)), drainage drawings shall be provided showing that new structures will be provided at connections to the existing storm drain system and that the minimum pipe size in the public right-of-way will be 12" HDPE.
48. This project includes more than 5,000 square feet of total impervious area replacement and creation and therefore is considered a regulated project. The following documents shall be provided in accordance with the Marin County Stormwater Pollution Prevention Program (MCSTOPPP) requirements:
 - a. Stormwater Control Plan – A written document/report and exhibit to accompany the plan set used primarily for municipal review to verify compliance with stormwater treatment requirements and SRMC Section 9.30.151. (Provide prior to issuance of the first site development plan for each construction area (e.g., on-site parcel(s) or building site(s), or off-site improvement construction area).)
 - b. Stormwater Facilities Operations and Maintenance (O&M) Plan – A written document/report and exhibit outlining facilities on-site and maintenance activities and responsibilities for property owners. (Provide prior to issuance of the first site development permit for each construction area (e.g., on-site parcel(s) or building site(s), or off-site improvement construction area).)
 - c. Stormwater Facilities Operations and Maintenance Agreement – A formal agreement between the property owner and the City that shall be recorded with the property deed prior to issuance of a certificate of occupancy. (Provide prior to issuance of the first certificate of occupancy within each construction area (e.g., on-site parcel(s) or building site(s)).)
49. Prior to first site development permit issuance for the Project, a hydrology and hydraulic study with drainage layout shall be submitted to ensure adequate on-site and off-site infrastructure exists. The hydrology study shall include hydrology and hydraulic calculations for the 10-year storm frequency for pre- and post-construction conditions and demonstrate the proposed development does not increase drainage flow/runoff into the public storm drain system. No increase in runoff due to the proposed development shall be allowed.
50. Prior to first building permit issuance for the Project, the project geotechnical engineer shall review the proposed bioretention planter designs for the project to determine whether the designs meet the geotechnical recommendations regarding lining of stormwater drainage swales to address expansive soil conditions. Refer to **Mitigation Measure GEO-1** for more information.

51. Prior to first building permit issuance for the Project, a design-level geotechnical report shall be prepared in accordance with Appendix F of the San Rafael General Plan and **Mitigation Measure GEO-2**.
52. Prior to issuance of the first building permit for each construction area (e.g., on-site parcel(s) or building site(s)), the applicant shall provide a plan review letter from the geotechnical engineer of record confirming that the project drawings are in conformance with their recommendations.
53. Prior to start of construction, the applicant shall obtain a grading permit from the Department of Public Works and ensure compliance with SRMC Section 15.06.110.
54. Prior to issuance of first site development permit, an Erosion Control Plan and Stormwater Pollution Prevention Plan (SWPPP) and applicable WDID number shall be submitted in accordance with Sections 15.06.110(c) and 15.06.110(d) of the San Rafael Municipal Code and as required by applicable state regulations.
55. Prior to issuance of the first building permit or site development permit for each construction area (e.g., on-site parcel(s) or building site(s), or off-site improvement construction area), the applicant shall submit a separate set of drawings detailing the frontage improvements in the public right-of-way (ROW) adjacent to the proposed development for Department of Public Works review and approval as part of the application for an encroachment permit (e.g., sidewalks, pavement restoration, driveway approach, lighting). Frontage improvements shall be designed in accordance with City of San Rafael design standards and reference Marin County Uniform Construction Standards (UCS) where applicable. At a minimum, frontage improvements shall include all improvements shown on the preliminary improvement plans submitted and approved with the VTSM.
56. Prior to issuance of the first building permit or site development permit for each construction area (e.g., on-site parcel(s) or building site(s), or off-site improvement construction area), the applicant shall submit a photometric analysis for driveways and bicycle and pedestrian access areas and areas of public easements within or adjacent to such construction area on the project site. Depending on the results of the photometric analysis, lighting improvements may be required to be constructed by the applicant.
57. All backflow preventers, fire department connections (FDC), electrical transformers, and other above ground utility structures shall be placed on private property.
58. Pursuant to SRMC Chapter 11.04, prior to any commencement of any work within the public right-of-way or obstruction of any part of the public right-of-way, an Encroachment Permit shall be obtained from the Department of Public Works.

59. All public streets and sidewalks that are impacted by the grading and construction operation for the project shall be kept clean and free of debris at all times to the satisfaction of the Director of Public Works.
60. Consistent with Section 15.06.040 of the SRMC, access over private rights-of-way shall require adoption of easements for public access, subject to conditions, as part of the Final Map approval.
61. The design and construction of all site alterations shall comply with the 2022 California Fire Code or current edition of the California Fire Code that has been adopted by the City of San Rafael, current NFPA Standards, and all applicable City of San Rafael Ordinances and Amendments.
62. The fire apparatus access roadway must conform to all provisions in CFC Section 503 and Appendix D.
63. On site fire hydrants will be required. Residential model: Clow 950. Commercial Model: Clow 960. The Prevention Bureau will identify the locations.
64. Fire lanes must be designated; painted red with contrasting white lettering stating, "No Parking Fire Lane" A sign shall be posted in accordance with the CFC Section 503.3 and to the satisfaction and approval of the San Rafael Parking Services Division.
65. Contact the Marin Municipal Water District (MMWD) to plan for the water supply serving the fire protection systems.

Master Use Permit (UP21-007)
Conditions of Approval

66. This Master Use Permit (UP21-007) approves operation of uses established as part of the phased redevelopment of the existing approximately 45-acre site containing the Northgate Mall into a mixed-use development, known as the Project. Uses approved through this Master Use Permit shall be in accordance with the Northgate Town Square Planned Development (PD) District approval (ZC21-001).
67. At issuance of First Building Permit, this Master Use Permit (UP21-007) shall supersede, void and nullify the existing Master Use Permit previously approved for the Project Site and all conditions associated with that approval.
68. Consistent with SRMC Section 14.22.10, any change to a condition of approval associated with the Master Use Permit or change to the operation of a use that would affect a condition of approval shall be considered an amendment to the approved Master Use Permit and shall be considered at the discretion of the City Council as the original hearing body.
69. Notwithstanding condition no. 3, above, pursuant to SRMC Section 14.22.150, the Director may review and approve minor amendments to the Master Use Permit,

which are within the limits of the approved Northgate Town Square Planned Development District and the development standards contained therein and considered minor, noncontroversial, and will not alter the basic function of the approved uses under the Master Use Permit.

70. In accordance with SRMC Section 14.22.180, this Permit shall become effective on (date) and shall be valid for a period of two (2) years from the date of final approval. The Permit shall expire and become null and void if prior to the expiration date: (a) a complete building permit application is not submitted to the City; or (b) a time extension is not applied for.
71. Consistent with SRMC Section 14.22.130, the Master Use Permit approval shall run with the land and shall continue to be valid whether or not there is a change of ownership of the site or structure to which it applies.
72. Temporary uses not consistent with provisions and performance standards in the Northgate Town Square PD District shall be subject to review and approval by the Zoning Administrator, subject to all performance standards and findings contained in the Northgate Town Square PD District approval and in Section 14.17.130 of the San Rafael Municipal Code.
73. Consistent with General Plan Program NH-4.2D: Farmers Market of the General Plan, the applicant shall coordinate with the Agricultural Institute of Marin (AIM) or successor organization to consider operation of a Farmers Market at the privately owned, publicly accessible Town Square.
74. Prior to the issuance of the first residential building permit for the Project, the applicant shall pay the applicant agreed-to contribution of \$500,000 toward City completion of the Merrydale path to connect the Project to the Civic Center SMART Station. In the event the Merrydale path is not approved by the City or another governmental agency, such contribution shall be applied toward other off-site transportation improvements in the vicinity of the Project Site.
75. Consistent with the Northgate Town Square PD zoning district and approved development plan, new drive-through facilities are approved on Pad 2 (2025) and Pad 4 (2040) and have been designed consistent with provisions in SRMC Section 14.16.110. Additional analysis may be required to evaluate traffic, queueing, or equivalent for any specific tenants with anticipated volume that exceeds stacking for 12 cars to ensure that available stacking lanes are adequate to serve the anticipated drive-through volumes. Such analysis shall be reviewed and approved at the discretion of the Community and Economic Development Director and Public Works Director unless changes to layout and design is determined to be a major modification of the approved Development Plan or Environmental and Design Review Permit.

76. Drive-through lanes on Pad 2 (2025) and Pad 4 (2040) shall maintain the minimum stacking lane length for restaurant uses as specified in Section 14.16.110 of the San Rafael Municipal Code.
77. Drive-through lanes shall be maintained to ensure overflow from the stacking lane does not spill onto major circulation aisles of the adjacent parking lots.
78. All outdoor eating areas within the Project shall meet the following standards:
 - a. All outdoor eating areas shall be consistent with the approved Development Plan and associated Northgate Town Square PD District Standards and the approved Environmental and Design Review Permit
 - b. The area inside the outdoor eating area, the adjacent areas outside of the eating area, and all appurtenances related thereto, shall be steam cleaned or pressure washed on a quarterly basis, and shall be maintained in good repair and in a clean and attractive condition as determined by the Director.
79. Commercial vehicular and bicycle parking shall be available for common use across the site and shall be made available to patrons of all commercial uses, with no restrictions or reserved parking for specific tenants, except for any spaces approved by the Director for the exclusive use of special orders (e.g., pick-up orders) for drive-throughs operated by future tenants of Pad 2 (2025) or Pad 4 (2040).
80. Commercial spaces and parking areas shall be kept clear of litter at all times and shall be the joint responsibility of all tenants, property owners, and/or the association of property owners.
81. All commercial uses shall have a dedicated space for refuse containers that shall be clearly identified on plans for building permits.
82. Commercial waste and recycling shall be managed consistent with the approved Northgate Town Center Development Waste and Recycling Plan, prepared by Recycling & Waste Solutions (RWS), dated July 11, 2023.
83. The Project includes privately owned publicly accessible ("POPA") open space and improvements as shown in the approved Development Plan. Prior to issuance of the First Building Permit or site development permit for any construction area (e.g., on-site parcel(s) or building site(s)) located adjacent to one or more POPAs, the Applicant shall execute, acknowledge and deliver to the City for recordation in the Official Records, a POPA Agreement for such POPA or POPAs. Project POPAs include: (1) Town Square, (2) Bike Hub, (3) Restaurant Entry Plaza, (4) Western Entry Rest Stop, and (5) Eastern Entry Rest Stop (each individually, a "POPA Improvement"; collectively the "POPA Improvements").

84. The conceptual POPA open space design for the Town Square located on Lot 1 includes approximately 56,975 square feet of privately owned publicly accessible open space and the following minimum elements and design features, as such elements and features are shown in the approved Development Plan:
- a. Pavilion structure with stage and pedestrian promenade
 - b. Dog Park
 - c. Playground including amenities for toddlers
 - d. Open lawn area
 - e. Seating Areas
 - f. Watch screen
 - g. Trees
 - h. Decorative paving
85. The conceptual POPA open space design for the Bike Hub located on Lot 23 includes approximately 9,604 square feet of common area and the following minimum elements and design features, as such elements and features are shown in the approved Development Plan:
- a. Bike fix it hub
 - b. Seating areas
 - c. Umbrellas
 - d. Bike racks
 - e. Trees
 - f. Retractable bollards will be located in a drive aisle between Lot 23 and Lot 1 and although not technically within the 9,604 square foot Bike Hub area they are a required element to be installed concurrently with the development of the Bike Hub.
86. The conceptual POPA open space design for the Restaurant Entry Plaza located on Lot 21 includes approximately 8,984 square feet of common area and the following minimum elements and design features, as such elements and features are shown in the approved Development Plan:
- a. Seating areas
 - b. Benches
 - c. Bike rack
 - d. Trees
87. The conceptual POPA open space design for the West Entry Rest Stop located on Lot 9 includes approximately 2,093 square feet of common area and the following minimum elements and design features, as such elements and features are shown in the approved Development Plan:
- a. Benches
 - b. Bike racks
 - c. Pet waste area

- d. Unique paving
 - e. Trees
88. The conceptual POPA open space design for the East Entry Rest Stop located on Lot 5 includes approximately 508 square feet of common area and the following minimum elements and design features, as such elements and features are shown in the approved Development Plan:
- a. Benches
 - b. Pet waste area
 - c. Drinking fountain
 - d. Unique paving
 - e. Trees
89. All POPA Improvements shall be maintained by the Applicant to the standards set forth in the POPA agreements.
90. The POPA agreements shall include the following minimum maintenance standards:
- a. Signage shall be installed for all common use outdoor areas identifying the hours for public access.
 - b. Property owner(s) and/or the association of property owners shall be responsible for security of the POPA areas.
 - c. POPA Improvements shall be kept clear of litter at all times and shall be the responsibility of the property owner(s) and/or the association of property owners.
91. Development of each POPA Improvement shall occur concurrent with development of the first construction area (e.g., on-site parcel(s) or building site(s)) located adjacent to such POPA Improvement As depicted on Exhibit No. ii which is attached hereto and incorporated herein by reference and are as follows:
- a. Town Square and Bike Hub – Lots 1 and 23;
 - b. Restaurant Entry Plaza – Lot 21;
 - c. Corner Monument Rest Stop (Northgate Drive and Las Gallinas Avenue) – Lot 9; and
 - d. Corner Monument Rest Stop (Las Gallinas Road across from Merrydale Road) – Lot 5/6.
92. Completion of each POPA Improvement shall occur prior to issuance of any certificate of occupancy for development within a construction area (e.g., on-site parcel(s) or building site(s)) located adjacent to such POPA Improvement.
93. Minor modifications to the minimum elements and design features for each POPA Improvement may be approved by the Director.

94. An encroachment permit shall be required for those portions of the walkways/pathways that run along the entirety of the Project frontage that are located on public property.
95. POPA Improvements shall be made available to the public in perpetuity for public purposes during agreed upon operating hours, subject to Property Owner's and its agents' right to exclude the public and/or temporarily limit access to, and use of, the POPA Improvement as necessary for reasons including, but not limited to, ensuring public safety, allowing for private events, precluding activities that unreasonably disrupt non-public uses in the Project, or enabling Property Owner, its authorized occupants or users, or their respective employees, agents, and contractors, to construct, repair, maintain, relocate or replace any improvements located upon the property from time to time.
96. Prior to opening the Town Square to the public, the Property Owner or Owners' Association, as applicable, shall prepare Operating Rules for the Town Square, which shall set forth reasonable rules and restrictions regarding the public's access to and use of the Town Square per the requirements of this Master Use Permit and conditions of approval and, subject to review and approval of the Directors of Community Development and Public Works, City Manager or their designee, and City Attorney. The Operating Rules may include without limitation provisions such as: (a) permitting the Property Owner or Owners' Association, as applicable, to reasonably restrict or prohibit public access and use as reasonably necessary to (i) ensure security of the Project Site and persons or property within or around the Project Site and (ii) preclude activities that unreasonably disrupt non-public uses in the Project; (b) providing exclusive use by Property Owner for a specified number of private events; and (c) providing terms of use for community use of the Publicly Accessible Open Space.
97. The Property Owner shall have the right to adopt, implement, and impose reasonable rules, regulations, and conditions for use of POPA Improvements to the extent necessary for reasons including, but not limited to, (a) to reasonably impose safety and security requirements in the interest of public health and safety, and (b) for purposes of preventing (i) interference by any member of the public with the operation of any business conducted by Applicant or its authorized occupants or users of buildings, other site improvements, or the property, and (ii) damage to the property, including any improvements thereon.
98. Special events at the Town Square outside of the temporary uses pre-approved under the Northgate Town Square PD Zoning Standards shall require review and approval of a Temporary Use Permit by the City, consistent with SRMC Section 14.17.130.
99. Removable bollards shall be maintained as shown on approved project plans (Sheets L-19 and L-20) between the bike hub plaza adjacent to theater and the Town Square to allow for expansion of the Town Square for special events.

100. The number, type, and location of below market rate (BMR) residential units shall be as indicated on the Master Below Market Rate Housing Agreement which shall result in the construction of BMR units that meet the requirements of SRMC section 14.16.030 and City Council Resolution No. 14890 as those may be amended, resulting in the Project providing the following low-income deed restricted housing units:
 - a. Residential 1/Lot 2 (4 BMR units): 1 one-bed; 1 two-bed; 1 three-bed; 1 four-bed
 - b. Residential 2/Lot 3 (10 BMR units): 1 one-bed; 4 two-bed; 3 three-bed; 2 four-bed
 - c. Residential 3/Lot 4 (28 BMR units): 6 studio; 17 one-bed; 5 two-bed
 - d. Residential 4/Lot 5 (45 BMR units): 4 studio; 31 one-bed; 10 two-bed
 - e. Residential 5/Lot 13 (31 BMR units): 5 studio; 19 one-bed; 7 two-bed
 - f. Residential 6/Lot 16 (25 BMR units): 4 studio; 16 one-bed; 5 two-bed
101. Prior to issuance of a building permit for each residential or mixed use parcel (Residential 1 – 6/Lots 2-5, 13, and 16) the property owner shall enter into and record parcel specific affordable housing agreements with the City, consistent with the terms of the master agreement approved by the City on November 18, 2024 by Resolution No. 2024-XXX.
102. Each parcel specific affordable housing agreement shall include requirements and exhibits to demonstrate compliance with Resolution No. 14890 in terms of the design, arrangement, size, and number of below market rate units in comparison to the market units and more specifically shall demonstrate to the satisfaction of the City that the minimum of 10% below market rate units are:
 - a. The same or substantially similar mix of unit size (number of bedrooms and square footage) to the market rate units
 - b. Compatible with the design, materials, amenities, and appearance of the market rate units
 - c. Dispersed throughout the residential project on each parcel
 - d. Constructed prior to or concurrent with the construction of market rates units
103. Each parcel specific affordable housing agreement shall establish the affordability levels for all units available to low-income households, establishing a responsible party for selecting qualified tenants, establishing provisions for annual reporting to the city or its designee containing information on the rent charged for affordable units and eligibility of tenants, and resale restrictions (when applicable).
104. The agreement shall be recorded against the associated parcel in perpetuity, except that the City Council may, upon a finding of financial need or infeasibility, include a time frame for affordability, which shall not be for a period of less than 55 years.
105. All residential units shall have a separate and secured entrance and exit.

106. All residential townhome units and apartment building shall have a dedicated space for refuse containers that shall be clearly identified on plans for building permits.
107. Residential waste and recycling shall be managed consistent with the Northgate Town Center Development Waste and Recycling Plan, prepared by Recycling & Waste Solutions (RWS), dated July 11, 2023 as follows:
 - a. Residential apartment trash, recycling, and compost totes shall be moved by maintenance staff to the identified staging areas for pickup by the refuse-collection agency. Once collection is complete, totes shall be removed from the staging area, and any debris left behind shall be sufficiently cleaned.
 - b. Residential townhome owners shall be responsible for moving their trash, recycling, and compost totes for pickup. Totes shall be left at driveway aprons near garage doors and shall be moved following pickup. Any debris left behind shall be sufficiently cleaned.
108. Consistent with the Northgate Town Square Planned Development (PD) District approval, a minimum of 150 square feet of usable open space shall be maintained for each residential unit.
109. Any future tenant of the Project with one hundred or more employees working on the site shall comply with travel demand management requirements as outlined in SRMC Chapter 5.81.010.
110. The City shall have the option in its sole and absolute discretion to utilize the community center, library, restroom facilities proposed in Residential 4 as shown on Sheet RE-50 and the police office space in Major 2 as shown on Sheet RT-16 of the approved project plans under terms that are generally consistent with those applicable to the City's use of such spaces in the existing Northgate Mall, if any, for such facility with the understanding that such spaces provide a benefit to the community. Prior to issuance of the First Building Permit for the building in which the facilities are located, the Applicant shall notify the City Manager and the City shall have 90 days to confirm in writing whether the City elects to use the space.

Environmental and Design Review (ED21-024)
Conditions of Approval

111. This Environmental and Design Review Permit (ED21-024) approves demolition and construction activities associated with the phased redevelopment of the existing 45-acre site containing the Northgate Mall into a mixed-use development, known as the Project.
112. In accordance with SRMC Section 14.25.200 this Permit shall become effective on (date) and shall be valid for a period of two (2) years from the date of final approval. This permit shall expire and become null and void if prior to the expiration date: (a) a complete building permit application is not submitted to the City; or (b) a time extension is not applied for.

113. Minor site development and building design modifications shall be subject to review and approval by the Director, who shall issue a written statement of substantial compliance with the approved plans.
114. Modifications deemed by the Director not to be minor shall require review and approval by the original decision-making body.
115. Based on the provision of below market rate units the Project qualifies for a 20% density bonus, one incentive/concession, and unlimited waivers under State Density Bonus Law. Consistent with the Applicant's request for a concession to increase the maximum building height across the site to a maximum height of 78 feet, this permit includes approval of increased building height as follows:
 - a. Residential 3/Lot 4 of 68' to parapet
 - b. Residential 4/Lot 5 of 78' to parapet
 - c. Residential 5/Lot 13 of 68' to parapet
 - d. Residential 6/Lot 16 of 78' to parapet

Any modification to the design and including building heights of the Project shall be reviewed consistent with Condition nos. 113 and 114.

116. Consistent with concessions approved consistent with State Density Bonus Law, an additional 12 feet of building height is allowed for projections for non-habitable space.
117. Landscape areas adjacent to drive-through lanes on Pad 2 (2025) and Pad 4 (2040) shall be modified to provide greater density of landscape materials between the drive-through lane and pedestrians and bicycles utilizing the multi-use path adjacent to Las Gallinas Avenue. Species selected for these areas shall provide adequate screening year-round.
118. The project shall be designed to include all-electric construction with the exception of existing mixed fuel structures and new or redeveloped commercial restaurant kitchens (also refer to **Mitigation Measure GHG-1**).
119. Prior to issuance of the first certificate of occupancy for a particular residential building for Phase 1, solar equipment shall be installed on the rooftop of such residential building and, if not already completed, the parking structure. Solar installation shall include all associated equipment, such as an inverter required to convert power from direct current "DC" to alternating current "AC" and connections made between the site and power grid equipment.
120. All building permit plans for Phase 1 and Phase 2 shall demonstrate that all new commercial structures are "solar ready" consistent with the requirements of Section 110.10 of the California Energy Code (CEC), entitled "Mandatory Requirements for Solar Readiness". At a minimum, plans shall indicate reserved locations for inverters, reserved pathways for conduit from the solar zone to the

electrical service connection, and if central water heating is used, pathways for plumbing from the solar to the water-heating system.

121. Solar battery storage systems shall be installed in all apartment-style buildings (Residential 3, 4, 5, and 6) and shall comply with the prescriptive or performance criteria set forth in Section 140.10(b) of the 2022 California Energy Code or the version of the code applicable at the time of building permit submittal.
122. Where provided, new vehicle parking for commercial uses shall provide a minimum of 45% of the total spaces shall be EV capable (requires raceway, service panel 208/240V, 40 AMP minimum for each space), a minimum of 33% of the total EV capable spaces shall be active charging stations, and a minimum of 50% shall be designated "Clean Air Vehicle" parking (no charging or infrastructure required).
123. All townhome garages shall be equipped with one 40-ampere, 208/240-volt dedicated EV branch circuit.
124. Where provided, surface parking within the residential townhome parcels (Residential 1 and 2) shall provide a minimum of 15% of the total outdoor parking with active EV charging stations and a minimum of 85% of the total outdoor parking provided shall be EV ready.
125. All new buildings, inclusive of residential, residential mixed use, and commercial land uses, but excluding all existing structures, shall include dual plumbed fixtures.
126. All landscape areas shall utilize recycled water for irrigation.
127. Where provided, parking for residential apartments shall have a minimum of 15% of the total parking equipped with active EV charging stations and a minimum of 85% of the total parking provided shall be EV ready.
128. Final landscape plans shall demonstrate that no faux turf or faux boulders will be installed within the Town Square or any other common commercial or residential usable open space areas, excluding the dog park and any pet relief areas.
129. Civil or landscape plans submitted with application(s) for building permits shall indicate the location and type of bioretention planter linings recommended for installation by the project geotechnical engineer (also refer to **Mitigation Measure GEO-1**).
130. All landscaping for a particular building shall be installed prior to issuance of the final certificate of occupancy for such building. The City may agree to accept a bond for a portion of landscaping improvements not completed prior to the final certificate of occupancy to address unforeseen challenges with weather or installation. In the event that a bond is posted for a portion of the site landscaping, it shall cover the amount estimated for completing the landscaping. All areas proposed for landscaping must be covered with bark or a substitute material approved by the Planning Division prior to occupancy.

131. Plans submitted for building permits shall label all areas falling within 15 feet of the curb return of all intersections and driveways (Vision Triangle). All landscaping, signage, and other project improvements located within the Vision Triangle shall be kept under 3 feet in height, and trees and hanging branches shall be trimmed to a minimum height of 7 feet (also refer to **Mitigation Measure TRA-1**).
132. Plans submitted for building permits shall demonstrate that any recreational fire pits are electric power and not natural gas or propane (also refer to **Mitigation Measure GHG-1**).
133. Plans submitted for building permits shall show the location, material, and height of temporary construction noise barriers (also refer to **Mitigation Measure NOI-1**).
134. Plans submitted for building permits shall show the location of all stationary noise-generating equipment and shall demonstrate through architectural renderings how noise from these stationary sources will be attenuated (also refer to **Mitigation Measure NOI-2**).
135. Due to the size of the project, the developer could be responsible to reimburse City costs associated with the following services:
 - a. Plan review of fire protection systems.
 - b. Personnel costs associated with on-site fire inspections.
136. Deferred Submittals for the following fire protection systems shall be submitted to the Fire Prevention Bureau for approval and permitting prior to installation of the systems:
 - a. Fire Sprinkler plans (Deferred Submittal to the Fire Prevention Bureau)
 - b. Fire Standpipe plans (Deferred Submittal to the Fire Prevention Bureau)
 - c. Fire Underground plans (Deferred Submittal to the Fire Prevention Bureau)
 - d. Fire Alarm plans (Deferred Submittal to the Fire Prevention Bureau)
 - e. Automatic Fire-Extinguishing System plans (Deferred Submittal to the Fire Prevention Bureau)
 - f. Vegetation Management Plan. Submit a landscaping plan to the Defensible Space Division for review to verify conformance with SRMC Chapter 4.12.
137. A fire apparatus access plan shall be prepared for this project. Fire apparatus plan shall show the location the following:
 - a. Designated fire apparatus access roads
 - b. Red curbs and no parking fire lane signs
 - c. Fire hydrants
 - d. Fire Department Connection (FDC)
 - e. Double detector check valve
 - f. Street address sign
 - g. Recessed Knox Box

- h. Fire Alarm annunciator panel.
 - i. NFPA 704 placards.
 - j. Provide a note on the plan, as follows: The designated fire apparatus access roads and fire hydrant shall be installed and approved by the Fire Prevention Bureau prior construction of the building
 - k. The contractor shall provide:
 - i. Knox key access to the project site during construction
 - ii. 24-hour emergency contact information conspicuously posted on the job site
 - iii. Ensure the site is kept clear of any combustible debris or waste; removed daily
 - iv. Mount fire extinguishers of a 2A10BC rating every 75 feet of travel distance and on each floor throughout the jobsite.
138. A Knox Box is required at the primary point of first response to the building. A recessed mounted Knox Box # 3200 Series is required for new buildings; surface mount for all others. the Knox Box shall be clearly visible upon approach to the main entrance from the fire lane. Note the Knox Box must be installed from 72" to 78" above finish grade; show the location on the plans.
<https://www.knoxbox.com/commercial-knoxboxes/>
139. A Knox key switch is required for driveway or access road automatic gates.
<https://www.knoxbox.com/gate-keys-and-padlocks/>
140. When a building is fully sprinklered all portions of the exterior building perimeter must be located within 250-feet of an approved fire apparatus access road.
- a. The minimum width of the fire apparatus access road is 20-feet
 - b. The minimum inside turning radius for a fire apparatus access road is 28 feet
 - c. The fire apparatus access road serving this building is more than 150-feet in length; provide an approved turn-around. Contact the Fire Prevention Bureau for specific details.
141. If the building is over 30 feet in height, an aerial fire apparatus access roadway is required parallel to one entire side of the building.
- a. The Aerial apparatus access roadway shall be located within a minimum of 15 feet and a maximum of 30 feet from the building
 - b. The minimum unobstructed width for an aerial fire apparatus access road is 26-feet
 - c. Overhead utility and power lines shall not be located within the aerial fire apparatus access roadway, or between the roadway and the building
142. Hazardous Materials Placards shall be installed in accordance with NFPA 704.

143. Provide address numbers plainly visible from the street or road fronting the property. Numbers painted on the curb do not qualify as meeting this requirement. Numbers shall contrast with the background and shall be Arabic numbers or letters. Numbers shall be internally or externally illuminated in all new construction or substantial remodels. Number sizes are as follows: For residential – 4" tall with 1/2" stroke. For commercial – 6" tall with 1/2" stroke. Larger sizes might be required by the fire code official or in multiple locations for buildings served by two or more roads.
144. All landscaping included in this project approval shall be maintained in good condition in perpetuity and any dead or dying plants, bushes, or trees shall be replaced with new healthy stock of a size compatible with the remainder of the growth at the time of replacement to the satisfaction of the Director.
145. Planting areas and tree wells within parking lots shall be prepared, with written verification provided, per SRMC Section 14.18.160(G).
146. Landscaped areas associated with parking lots shall at all times be maintained in a healthy and clean condition, with replanting as necessary to maintain compliance with the previously approved landscape plan. For parking lots containing twenty-five (25) spaces or more the property owner shall obtain a minimum one (1) year maintenance contract and warranty for tree growth and provide documentation of such to the Director prior to use of the parking facility and/or building or site occupancy.
147. The project shall meet the Marin Municipal Water District's (MMWD) water conservation rules and regulations. For projects that are required to provide a water-efficient landscape pursuant to SRMC Section 14.16.370, the landscape plan and supportive materials shall comply with the Marin Municipal Water District (MMWD) Ordinance No. 414, and future amendments as adopted. Prior to the issuance of a building permit, a site development permit or other authorization or city approval to proceed with construction and landscape installation for each construction area (e.g., on-site parcel(s) or building site(s)), the applicant must provide written verification of plan approval from MMWD.
148. Consistent with the Water Supply Assessment, prepared by EKI Environment & Water, Inc., dated November 2022, for the project to comply with the California Model Water Efficient Landscape Ordinance (MWELO), all landscaped areas shall be irrigated with recycled water, and landscape plans shall at a minimum demonstrate the inclusion of low-water use landscaping and high-efficiency irrigation systems.
149. All mechanical equipment (i.e., air conditioning units, meters and transformers) and appurtenances not entirely enclosed within the structure (on side of building or roof) shall be screened from public view. The method used to accomplish the code-required screening shall be indicated on the building plans and approved by the Planning Division prior to issuance of a building permit.

150. All exterior lighting shall be energy efficient where feasible; and shielded and directed downward and away from property lines to prevent excessive glare beyond the subject property.
151. In addition to directional lighting, lighting shall be a minimum intensity wattage of 0.5-foot candle or as otherwise necessary for public safety.
152. All lighting shall be subject to a 90-day post installation inspection to allow for adjustment and assure compliance with SRMC Section 14.16.227.G.
153. Consistent with Program C-1.17B: Tree Management Plan of the General Plan, upon submittal of plans for building or grading permits, a tree management plan shall be required. The Plan shall be prepared by a licensed arborist using published standards and practices for protecting and monitoring tree health during and after construction.
154. All trees to be installed shall be a minimum twenty-four inch (24") box size with a two inch (2") caliper trunk and shall include root barriers and/or at-grade screens. Tree species and size at installation shall be consistent with Sheet L-36 of the approved project plans.
155. Consistent with Section 14.16.227 (Light and Glare) of the SRMC, upon submittal of plans for electrical permits, the maximum wattage of all light fixtures shall be specified.
156. Consistent with Section 14.18.045 (Designated Parking for Clean Air Vehicles), parking spaces for clean air vehicles shall be painted, using the same paint for stall striping, such that the lower edge of the last word aligns with the end of the stall striping and is visible beneath a parked vehicle: "CLEAN AIR VEHICLE".
157. Upon submittal of plans for any building permits, the applicant shall demonstrate consistency with all bicycle parking criteria set forth in SRMC Section 14.18.090 (Bicycle Parking) and approved project plans, whichever is greater.
158. Consistent with SRMC Section 14.18.160 (Parking Lot Screening and Landscaping), revised plans shall include additional shade structures and/or tree planting to achieve a minimum of 50% daytime shading, or plans shall demonstrate that paving material is light colored/high albedo with a minimum reflectance of 0.3.
159. Future tenants of Pad 2 (2025) and Pad 4 (2040) containing drive-throughs who wish to designate spaces for the exclusive use of special orders (e.g. pick-up orders) shall obtain approval by the Director.

Sign Program (SP24-002)
Conditions of Approval

160. This Master Sign Program Permit (SR24-002) approves a coordinated sign approach to all signs, including both commercial tenant identification and wayfinding, within the Project and consistent with approved plans.
161. Permit Validity. This Permit shall become effective on (date) and shall be valid for a period of two (2) years from the date of final approval. This permit shall expire and become null and void if prior to the expiration date: (a) a complete building permit is not submitted to the City; or (b) a time extension is not applied.
162. Consistent with SRMC Section 14.19.054 (General Design Standards), any sign materials, such as the glass face and etched metal pattern materials used for pedestrian wayfinding signage shall include a matte finish or shall be revised to be a non-glare surface
163. The Sign Program shall be revised to modify the sign at the corner of Northgate Drive / Las Gallinas Avenue (near Residential 3) from a pylon sign to a monument sign to ensure compatibility with the immediately surrounding area.
164. Prior to installation, the applicant shall submit a sign permit for review and approval by the City in compliance with the approved master sign program.