

EXHIBIT "A"

CONDITIONS OF APPROVAL FOR THE PROJECT ON PROPERTY AT

Address & Application # Brief Description

Standard List of Conditions of Approval DESIGN PERMIT – Long Form

1. If one or more of the following conditions is not met with respect to all its terms, then this approval may be revoked.
2. All plans for future construction which are not covered by this review shall be submitted to the City Planning and Community Development Department for review and approval.
3. This permit shall be exercised within three (3) years of the date of final approval or it shall become null and void. When a building permit is required, a zoning permit shall be considered exercised following the issuance of a valid building permit. When only an occupancy permit is required, a zoning permit shall be considered exercised when the occupancy permit is issued. **(FOR PROJECTS INVOLVING CODE ENFORCEMENT:** Should this application be the result of a code enforcement action, the timelines for compliance set forth in a Notice of Violation and/or a Notice & Order shall take precedence.)
4. The use shall meet the standards and shall be developed within limits established by Chapter 24.14 of the Santa Cruz Municipal Code as to the emission of noise, odor, smoke, dust, vibration, wastes, fumes or any public nuisance arising or occurring incidental to its establishment or operation.
5. The applicant shall be responsible for the completeness and accuracy of all forms and supporting material submitted in connection with any application. Any errors or discrepancies found therein may result in the revocation of any approval or permits issued in connection therewith.
6. All final working drawings shall be submitted to the Zoning Administrator for review and approval in conjunction with building permit application. The plans submitted for building permits shall have the same level of articulation, detailing, and dimensionality as shown in the approved plans. All approved exterior finishes and materials shall be clearly notated on the building permit plans.

Prior to Building Permit Issuance:

7. The applicant and contractor who obtains a building permit for the project shall be required to sign the following statement at the bottom of these conditions, which will become conditions of the building permit:

“I understand that the subject permit involves construction of a building (project) with an approved Design Permit. 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

8. Adequate provisions shall be made to supply water to each of the premises covered by this application. The design of water facilities shall be to standards of the Water Department, and plans therefore must be submitted to the Water Department Director for review and approval prior to the issuance of a building permit.
9. **[For multifamily projects of five or more units or new nonresidential structures]:** Plans submitted for building permit issuance shall include electric vehicle charging stations as required per Section 24.12.241 of the Zoning Ordinance.
10. Plans submitted for building permit issuance shall show all exterior site lighting locations and fixture details. All exterior building lighting shall be shielded and contained in a downward direction. No exterior lighting shall produce off-site glare. **(Add for commercial development):** Exterior site lighting shall be provided along pedestrian pathways and in the vehicle parking area. Security lighting shall be motion sensor only.
11. **[For commercial, industrial, and public projects requiring a building permit, for new single or two-unit projects on lots 10,000 square feet or greater, and for developer installed landscaping at new single or multi-family residential projects with a total irrigated area of 1,500 square feet or greater]:** Landscape and irrigation plans shall be submitted at the time of the building permit application and will be reviewed by both the Planning Department and Water Department. The landscape and irrigation plans shall demonstrate compliance with all requirements of the City’s Water-Efficient Landscaping Ordinance in Chapter 16.16 of the Santa Cruz Municipal Code prior to issuance of the building permit. Turf is not permitted in new non-residential landscape projects.
12. **[For single-family/duplex lots less than 10,000 square feet]:** New single family and two-unit residential development projects on a parcel of land less than 10,000 square feet shall be required to meet only provisions listed in Section 16.16.070(j) of the Santa Cruz Municipal Code. These provisions include specifications on plant type, turf limits, spray irrigation setbacks, irrigation equipment and mulching requirements. Building plans shall contain references to these provisions showing that the conditions have been met.
13. **[For projects with Heritage Tree Removal]:** The **[insert number of heritage trees removed]** trees approved for removal shall be replaced at a ratio of either **[insert number]** 24-inch box trees or **[insert number]** 15-gallon trees per tree removed, or by payment of a comparable in-lieu fee as approved by the City Arborist. The species, size, and location of all replacement trees shall be shown on the final building permit plans and are subject to approval of the City Arborist.
14. All trees shall be a minimum 15-gallon size.

15. Prior to building permit issuance, the City Arborist must approve of the proposed street trees.
16. Plans submitted for building permit issuance shall include landscaping or other screening of the backflow preventor from public view for review and approval by the Planning Department and Water Department.
17. The developer shall provide documentation confirming PG&E has been contacted to discuss conceptual timeframes and costs to ensure that such information is factored into the overall timeline and budget for the project.
18. Plans submitted for building permit issuance shall show all utilities and transformer boxes placed underground in accordance with the provisions of Section 24.12.700 through 24.12.710 of the Zoning Ordinance. Modifications to allow above ground utilities shall only be allowed in accordance with the provisions of Section 24.12.720 through 24.12.730 of the Zoning Ordinance. Modifications to allow above ground transformers shall only be considered when: located within a fully enclosed room that is part of a building containing other uses (i.e. utility room), visibility only occurs from a private accessway, or the applicant provides a signed letter from PG&E indicating that the underground placement of the transformer is physically impossible or technically infeasible and includes supporting justification for such claim. The letter shall have been prepared at most, six months prior to Building Permit application submittal date and shall be site-specific referring to the current development plans.
[Or, if above ground transformers are permitted with the project]: All utilities shall be placed underground in accordance with the provisions of Section 24.12.700 through 24.12.740 of the Zoning Ordinance. Above ground transformers are permitted **[within the approved fully enclosed room/at the end of the private road cul-de-sac/etc.]**
19. Bike parking shall be provided in accordance with Sections 24.12.250-252 of the City's Zoning Ordinance. Specifically, all Class 2 bike parking shall be inverted "U" style racks.
20. **A drainage plan shall be submitted in conjunction with application for building permits.**
21. **[If recommended by Archaeological Report or Native American consultation, or if development to occur on a Known Archaeological Site]:** Prior to building or grading permit issuance or in any case any ground disturbance, including but not limited to grubbing, demolition, excavation, and utility-line trenching, the applicant shall submit a copy of a signed contract with a qualified archaeologist (based on the city's list of approved consultants or as previously authorized by the Planning Department) [and a Native American Monitor] indicating that the archaeologist [and Native American Monitor] will be present on the site to observe and monitor all grading and subsurface excavations and that they will provide a follow-up letter to the Planning Department with the results of the monitoring.
22. The plan for erosion control approved as part of this application shall be submitted and plans submitted for building permit issuance shall note that all work will be installed by November 1.
23. **[For Single-Family Dwellings]:** Plans submitted for building permits shall demonstrate compliance with Stormwater Best Management Practice (BMP) and Low Impact

Development (LID) requirements for single family residential dwelling projects contained in “Chapter 6 of the Best Management Practices Manual for the City’s Storm Water Management Program” dated October 2011. At a minimum, downspouts shall be disconnected from underground pipes or prohibited from directly flowing onto impervious surfaces and instead be redirected to landscaping or bioswales. Pervious walkway surfaces and driveways shall be installed where possible. Show all implemented LID measures on the plans.

24. **[For Multi-Family Development]:** Plans submitted for building permits shall demonstrate compliance with Stormwater Best Management Practices (BMP) for private and public development projects contained in “Chapter 6B of the Best Management Practices Manual for the City’s Storm Water Management Program” dated March 2014 and the City’s mandatory construction BMPs as detailed in the latest BMP manual published by Public Works department. Plans shall also comply with the Central Coast Regional Water Quality Control Board (RWQCB) Post Construction Requirements (PCRS).
25. **[If project site is located along coastal bluff or on West Cliff Drive]:** Prior to issuance of a building permit, the property owner shall file with the county recorder a deed restriction stating that:
 - a. Coastal Hazards Risk. By acceptance of the **[insert permit type] Permit [insert CP#]** issued on **[insert date]**, 2024 by the City of Santa Cruz, the Permittee acknowledges and agrees on behalf of themselves and all successors and assigns, to all of the following:
 - i. Coastal Hazards. That the site is subject to coastal hazards including but not limited to episodic and long-term shoreline retreat and coastal erosion, high seas, ocean waves, tsunami, tidal scour, coastal flooding, landslides, bluff and geologic instability, bluff retreat, liquefaction and the interaction of same, many of which will worsen with future sea level rise.
 - ii. Assume Risks. To assume the risks to the Permittee and the property that is subject of this CDP of injury and damage from such coastal hazards in connection with this permitted development
 - iii. Waive Liability. To unconditionally waive any claim of damage or liability against the City, its officers, agents, and employees for injury or damage from such coastal hazards.
 - iv. Indemnification. To indemnify and hold harmless the City, its officers, agents, and employees with respect to the City’s approval of the development against and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such coastal hazards.
 - v. Property Owners Responsible. That any adverse effects to the property caused by the permitted development shall be fully the responsibility of the property owners.
 - vi. Services and Access Not Guaranteed. That the City may, due to the nature of the coastal hazards or other related circumstances, cease to provide access or services to the subject property; that any costs related to the provision of new or relocated access or services to the property, should the City cease to provide access or services in the manner approved through the initial

Planning, Building, and Public Works permits associated with the Coastal Development Permit approval referenced herein, shall be the responsibility of the Permittee or successors and assigns; and that the same risk, liability, and indemnification criteria outlined above shall apply to the City's cessation or relocation of access or services.

26. 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. Prior to issuance of a building permit, the applicant shall provide documentation confirming that all heat pumps comply with the City's noise standards.
27. **Final colors and materials shall be approved by the Zoning Administrator prior to building permit issuance.**
28. The owner shall comply with the inclusionary housing requirements as outlined in Section 24.16.010 of the Zoning Ordinance. **[For projects with voluntary affordable housing units]:** Additionally, the applicant has volunteered to provide **[insert number of units]** units at the **[insert affordable level]** level which shall be reflected in an affordable housing development agreement. The Affordable Housing Development Agreement establishing compliance with inclusionary housing requirements shall be entered into and recorded prior to recordation of the final subdivision map or building permit issuance if no subdivision map is required. **[For projects that include a Density Bonus]:** In addition to complying with the City's inclusionary ordinance, which restricts affordability of units in perpetuity, the Affordable Housing Development Agreement shall also document and require the affordability restrictions associated with the granting of the applicant's density bonus request, as specified in the staff report.
29. **[For sites of one acre or larger or less than one acre but part of a larger common plan of development]:** Construction activity resulting in a land disturbance of one acre or more, or less than one acre but part of a larger common plan of development or sale must obtain the [Construction Activities Storm Water General Permit](#) (2009-0009-DWQ Permit). Construction activity includes clearing, grading, excavation, stockpiling, and reconstruction of existing facilities involving removal and replacement. Construction activity does not include routine maintenance such as, maintenance of original line and grade, hydraulic capacity, or original purpose of the facility.

The applicant shall be responsible for filing a Notice of Intent (NOI) with the State Regional Water Quality Control Board (RWQCB) and for developing a Storm Water Pollution Prevention Plan (SWPPP) prior to commencement of any soil disturbing activities at the site. Prior to issuance of a building permit, the applicant shall provide the City with proof of coverage under the state's Construction Activities Storm Water General Permit, including a copy of the letter of receipt and Waste Discharger Identification (WDID) number issued by the State Regional Water Quality Control Board (SWQCB) that acknowledges the property owner's submittal of a complete Notice of Intent (NOI) package.

30. Prior to the issuance of a building permit, the following fees shall be paid: **[For housing development projects, impact fees in section below should be moved to Prior to Building Permit Final/Occupancy Section and note “Prior to temporary or final occupancy, the following fees shall be paid.” Non-impact fees can be charged prior to BP Issuance unless requested to be deferred as an incentive/concession.]**
- a) **[Not an impact fee. For residential projects involving a subdivision]:** The applicant shall pay the Quimby park dedication fees pursuant to Chapter 23.28 of the City of Santa Cruz Municipal Code based on the final building permit plans.
 - b) **[Not an impact fee. For residential projects not involving a subdivision]:** The applicant shall pay the Park and Recreation Facility Tax pursuant to Chapter 5.72 of the City of Santa Cruz Municipal Code based on the final building permit plans.
 - c) **[Impact Fee. For residential, commercial, industrial, or hotel projects. 100% affordable projects and public projects are exempt.]:** The applicant shall pay Childcare Impact fees pursuant to Chapter 18.48 of the City of Santa Cruz Municipal Code based on the final building permit plans.
 - d) **[Impact Fee. As required by DPW.]** The applicant shall pay Traffic Impact Fees (TIF) as required by the Public Works Department.
 - e) **[Impact Fee. For residential, commercial, industrial, or hotel projects. 100% affordable projects and public projects are exempt.]:** The applicant shall pay Public Safety Impact fees pursuant to Chapter 18.49 of the City of Santa Cruz Municipal Code based on the final building permit plans.
31. **[For alterations to nonconforming structures]:** The contractor or builder 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 hereby acknowledge that the subject permit involves alterations to an existing nonconforming structure and the extent of demolition is limited to that which is approved on the associated **Planning permit #XX-XXXX**. I understand that if demolition exceeds the stated limits, it will result in the requirement to reconstruct the structure in accordance with the site development standards required in the current zoning ordinance, whether or not it was the intent to demolish the structure.

Signature of Building Contractor

Date

32. **[For alterations to nonconforming structures]:** Final building plans shall include calculations confirming that no more than 50% of the exterior walls will be demolished. The project is subject to the demolition limitations shown on the approved plans and described in the attached permit. The wall studs, existing window/door openings, existing window and door headers, and existing top and bottom wall plates shown on the wall areas to be retained shall be preserved in place and shall not be removed and reconstructed with the same or

similar materials, or reinforced through techniques such as sistering, regardless of the state of decay or non-compliance with building code requirements unless a modification to the permit is approved, which could result in the requirement to reconstruct the structure pursuant to current site development standards. The project contractor, builder, design professional, consultant, or property owner must discuss any perceived conflicts with the preservation of such walls prior to the start of construction and, if necessary, obtain approval of any permit modifications prior to the start of any construction activities at the site. The appropriate modification process shall be determined by the Planning Department, which may include the requirement to obtain a Residential Demolition Authorization Permit and elimination of any structural encroachments into a required setback.

33. **[For demolition of a single-family dwelling]:** Prior to issuance of the demolition permit, the applicant shall:
 - Obtain a building permit for the construction of the new single-family dwelling.
 - Schedule a Special Inspection with the Building Department to determine whether the existing residence proposed for demolition has potential for relocation off-site. If the Building Official determines that the building is capable of being moved without damage to significant trees and/or landscaping, the applicant shall be required to comply with the requirements of Section 24.10.190 of the Zoning Ordinance.
34. **[For demolition of a commercial building]:** A demolition permit to demolish the existing commercial building(s) shall not be issued until a permit for the replacement development project has first been issued.
35. **[For projects on site adjacent to a creek that include tree removal and potential impacts to migratory bird nesting sites]:** A pre-construction nesting bird survey shall be conducted by a qualified biologist if construction, including tree removal, adjacent to the **[Insert watercourse name]** is scheduled to begin from February 1 to August 31 to determine if active nests are present in or near the construction sites. The survey shall be conducted no more than seven days before the start of any construction activities on the site (including tree removal, clearing, and excavation). If nesting bird species protected under the Migratory Bird Treaty Act and/or California Fish and Game Code (§3503) are found and the biologist determines that construction activities could result in the removal of an active nest or cause mortality of eggs or young, the biologist shall identify a suitable no-disturbance buffer around the nest in which no work would be allowed until after the biologist has determined the nest is no longer in use or the young have fledged. Alternatively, construction may be delayed until after the nesting season (i.e., September).
36. **[For projects on site not adjacent to a creek that includes tree removal and potential impacts to migratory bird nesting sites]:** If project site work occurs anytime between February 1 and August 31, the applicant shall submit documentation of a pre-construction nesting bird survey by a qualified biologist prior to the start of work. The survey shall be described in the biotic report prepared by **[insert name of biologist, date of report]**, if such a report was prepared, and shall be completed no more than seven days before the start of any project construction activities on the site (including tree removal, clearing, and excavation) and shall include observations of any nesting activities on the site. Site work may commence once the Planning Department has accepted the report and confirmed that there are no nesting birds on the site or that an appropriate buffer zone around any active nests has been recommended by the biologist and physically established on the site.

37. **[For projects with existing buildings to be demo'd or buildings that are already vacant]:** If there are any buildings approved for demolition that are currently vacant or that become vacant for longer than 3 months following entitlement, rodent control measures shall be required. Prior to demolition permit issuance, the applicant shall submit evidence of tenancy to confirm the vacancy of existing buildings. If subject to rodent control requirements as determined by the Zoning Administrator, the applicant shall submit evidence of a contract with a licensed pest control company and shall provide a letter or report prepared by the licensed pest control company detailing the measures that will be conducted on the site. The measures shall be reviewed and approved by the Planning Department and shall be conducted by a licensed pest control company immediately prior to demolition. Evidence of completion shall be provided to the Planning Department. Alternatively, a licensed pest control agency can provide a written attestation that rodents or other pests are not present and no actions are therefore needed.
38. **[For projects that include eviction of commercial tenants]:** The applicant shall send notices of demolition to all tenants of the buildings to be demolished at least six months prior to demolition or eviction. The notices shall include contact information for the Economic Development Department for tenants to use as a resource for relocation assistance. Proof of noticing shall be submitted to the Economic Development Department.
39. **[For projects with contamination where remediation is required by oversight agency]:** Initial environmental testing conducted by the applicant indicates that site **[Insert soils and/or soil vapor and/or groundwater]** are impacted. **[Insert oversight agency, e.g., State Department of Toxic Substances Control, State Regional Water Quality Control Board, County of Santa Cruz Department of Environmental Health, etc.]** requires additional testing prior to design of any remedial or mitigation activities. The applicant shall work with City staff, the necessary oversight agency, and responsible parties, if necessary, to address any site remediation or building design/construction requirements to ensure appropriate on-site improvements in accordance with the oversight agency standard practice; local, State, and Federal regulations; and City Code requirements. Design of remediation equipment, equipment placement, or remediation activities will need to be reviewed and may require approval by all parties. Prior to building permit issuance and site disturbance, the applicant shall either: (a) submit written proof of an approval from the oversight agency of remediation activity and that building and/or site design is deemed consistent with the remediation activity; or (b) provide written proof the work is not subject to approval from an oversight agency.
40. **[For Projects where Soil Management Plan is required]:** If deemed necessary by the oversight agency **[Insert oversight agency, e.g., State Department of Toxic Substances Control, State Regional Water Quality Control Board, County of Santa Cruz Department of Environmental Health, etc.]**, the applicant shall prepare an **[Insert plan, e.g. Environmental site and/or soil and/or groundwater management plan]** for review and approval by the Santa Cruz County Department of Environmental Health. Proof of approval or actions for site work required shall be provided to the Planning Department prior to issuance of any demolition or building permits.
41. **[For projects on sites subject to bird safe policies]:** Plans submitted for building permit issuance shall comply with the City's Bird Safe Building Standards. **[For multifamily**

projects of 5 or more units]: Adhesive film may not be used to meet fritting or glass standards.

42. **[For multifamily rental projects with common laundry rooms]:** All washing machines provided for common use among tenants shall be equipped with microplastic filters to reduce plastic pollution. See Operational Conditions for noticing and maintenance requirements.
43. **[For multifamily rental projects with in-unit laundry machines]:** All washing machines provided by the owner for private use by tenants shall be equipped with microplastic filters to reduce plastic pollution. See Operational Conditions for noticing and maintenance requirements.
44. **[Reproduce condition for all applicable reports.]** Plans submitted for building permit issuance shall comply with all recommendations of the **[Traffic Impact Analysis, Geotechnical Report, Geologic Report, Arborist Report, Biotic Report, etc.)**, prepared by **[Name of Preparer]** and dated **[XX/XX/XXXX]**.
45. **[For multifamily projects with twenty or more units]:** The applicant shall enter into a contract with Santa Cruz Metropolitan Transit District (Santa Cruz METRO) to provide unlimited local transit passes for all residents.
46. **[For developments that include commercial space]:** All commercial spaces shall be constructed to support a future food service use. Plans must include ducting and venting plans for all commercial spaces. All ducting and venting shall be designed to be hidden or incorporated into the building design. Plans shall also show the locations of grease traps, grease lines, and grease storage facilities.
47. **[For developments that include demolition]:** Prior to issuance of a building permit for the project, the applicant shall provide the Zoning Administrator with written verification that all permit requirements of the Monterey Bay Air Resources District relative to asbestos investigation and disposal, if necessary, have been fulfilled in accordance with Federal, State, and local laws.

Prior to and During Construction:

48. Prior to site grading or any disturbance all trees and/or tree stands indicated for preservation or approved plans shall be protected through fencing or other approved barricade. Such fencing shall protect vegetation during construction and shall be installed to the satisfaction of the Director of Planning and Community Development.
49. **[For alterations to nonconforming structures]:** A preconstruction meeting shall be held on the project site after building permit issuance and prior to the start of any construction activities. The project planner, building inspector, project contractor/builder, and property owner shall attend the preconstruction meeting to discuss the limits of the project. The project planner shall invite representatives from other departments if determined necessary.
50. All refuse and recycling activities during construction shall be done in accordance with Chapter 6.12 of the Santa Cruz Municipal Code. Be aware that private companies offering

refuse or debris box services are not allowed to operate within the City limits, except under certain limited circumstances detailed in Chapter 6.12.160.

51. **[If recommended by Archaeological Report or Native American consultation, or if development proposed on a Known Archaeological Site]:** During all grading and subsurface excavations (including but not limited to grubbing, demolition, excavation, and utility-line trenching) an archaeologist and a Native American observer, authorized by the Planning Department, shall be present to collect and catalog any material uncovered. The cost for this service shall be paid by the applicant.
52. **[If recommended by Archaeological Report or Native American consultation, or if development proposed on a Known Archaeological Site]:** At least one contractor and subcontractor from each trade that will perform earth disturbing activity shall participate in and complete at least 1 (one) hour of Native American tribal cultural resources sensitivity training. The training shall be conducted by a Native American monitor acceptable to the Planning Director in consultation with the Native American Tribes. Such sensitivity training shall focus, in particular, on California Native American tribal cultural resources, shall include descriptions and photographic examples of Native American tribal cultural resources, and what to do when a potential cultural or archaeological resource is identified by site personnel. The Applicant shall submit a certification attesting to the completion of such sensitivity training to the City that includes the names and work affiliations of all those who received training. If certification has already been obtained from a worksite in the city within the prior three years, then the certified contractor or subcontractor shall not be subject to subsequent training.
53. Any person exercising a development permit or building permit who, at any time in the preparation for or process of excavating or otherwise disturbing earth, discovers any human remains of any age or any artifact or any other object which reasonably appears to be evidence of an archaeological/cultural resource or paleontological resource, shall:
 - a. Immediately cease all further excavation, disturbance, and work on the project site;
 - b. Cause staking to be placed completely around the area of discovery by visible stakes not more than ten feet apart forming a circle having a radius of not less than one hundred feet from the point of discovery; provided, that such staking need not take place on adjoining property unless the owner of the adjoining property authorizes such staking;
 - c. Notify the Santa Cruz County sheriff-coroner and the city of Santa Cruz planning director of the discovery unless no human remains have been discovered, in which case the property owner shall notify only the planning director;
 - d. Grant permission to all duly authorized representatives of the sheriff-coroner and the planning director to enter onto the property and to take all actions consistent with this section.
54. Grading shall be done during periods of dry weather and protective measures shall be incorporated during grading to prevent siltation from any grading project halted due to rain.
55. **[For projects that include demolition of a structure]:** The applicant and/or property owner shall be responsible for ensuring that any existing buildings approved for demolition or conversion remain occupied by a tenant or, if any buildings are vacant or become vacant prior to demolition or conversion, that these buildings are adequately secured to prevent break-ins

and other vandalism. All windows, doors, and other openings into vacant buildings shall be completely covered and a six-foot tall chain link fence shall be installed around the perimeter of the property. Graffiti shall be removed or painted over within 72 hours. If a break-in occurs, the applicant and/or property owner shall, within 24 hours, clean the site of trash and debris, and re-secure the site and building(s). Additionally, following a break-in, the applicant/property owner shall provide the Planning Department, SCFD Fire Marshall and SCPD with a copy of a signed contract with a private security company to provide ongoing monitoring of the site. If a break-in or other public safety concern related to the vacant status of the property/space occurs at the vacant site/space that requires an emergency response, the applicant and/or property owner shall be responsible for paying the fully burdened hourly rates for Police, Fire, Code Compliance, or other City Staff to respond and follow up as abatement costs, civil penalties, and/or pursuant to all other rights and remedies the City has. The City will not issue the certificate of occupancy/final permit until all fines, fees, civil penalties, and/or costs are paid.

56. **[For all multifamily, mixed-use, and commercial/industrial projects with an anticipated construction timeframe of six months or longer, and/or that are located within the proximity of sensitive receptors, such as schools, senior living facilities, or residential neighborhoods]:** All diesel-fueled off-road construction equipment greater than 75 horsepower shall be zero-emissions or equipped with California Air Resources Board (CARB) Tier 4 Final or Interim compliant engines. Alternatively, CARB Tier 2 or 3 compliant engines may be used if CARB Level 3 Verified Diesel Emissions Control Strategy (VDECS) filters are added to each piece of off-road diesel-fueled equipment.

Prior to Final Building Permit/Occupancy:

57. The development of the site shall be in substantial accordance with the approved plans submitted and on file in the Department of Planning and Community Development of the City of Santa Cruz. All aspects of construction must be completed prior to occupancy. Major modifications to plans or exceptions to completion may be granted only by the City authority which approved the project.
58. All requirements of the **[insert departments]** shall be completed prior to occupancy and continuously maintained thereafter.
59. All landscaping shall be installed prior to final utility release or issuance of occupancy permits.
60. Subsequent to occupancy of the premises, all landscaping shall be permanently maintained. **[For multifamily, mixed-use, or commercial/industrial projects]:** Such maintenance shall be secured through an 18-month bond prior to occupancy.
61. **[If recommended by Archaeological Report or Native American consultation, or if parcel is a Known Archaeological Site]:** Prior to building permit final, the approved archaeologist **[and Native American Monitor]** shall provide a follow-up letter to the Planning Department confirming that they were present on the site to monitor all grading and subsurface excavations and the results of the monitoring. If the property owner fails to comply with the full extent of on-site monitoring requirements, the property owner shall be subject to the Archaeological Monitoring Non-compliance Guidelines which includes supplemental

archaeological investigation and monetary administrative civil penalties which could delay final inspections and occupancy.

62. **[For multifamily projects]:** Prior to final inspection of a Building Permit, all rental units in the project shall be enrolled in the City of Santa Cruz Residential Rental Inspection Program. The units are exempt from inspections and annual registration fees for the first five years of occupancy (based on the date of building permit's final inspection) and will be activated automatically after five years. If the project consists of ownership units, each individual property owner is responsible for enrolling in the Rental Inspection Program prior to renting their unit(s).
63. **[For projects with contamination where remediation is required by oversight agency]:** All final inspections required by **[insert oversight agency]** shall be completed prior to final or temporary Certificate of Occupancy.

Operational Conditions

64. If, upon exercise of this permit, this use is at any time determined by the Planning Commission to be incompatible with the surrounding neighborhood, revocation of, or amendment to, this permit by the Planning Commission could occur.
65. A review of this permit shall be conducted in **[insert timeframe]** to ensure conformity with conditions of approval.
66. Future uses shall submit a disclosure statement for Zoning Administrator review prior to issuance of any occupancy permit regarding materials and chemicals to be used and disposed of from the site.
67. All new signage shall be reviewed by the planning department prior to installation to determine if a Sign Permit is required. **[For mixed-use and commercial and industrial projects]:** Approval of a Master Sign Permit is required prior to the installation any signage on the site.
68. Prior to commercial/business use of a building or site, owners or tenants shall obtain a Zoning Clearance/Occupancy Permit from the City Planning Department and a Business License from the City Finance Department.
69. **[For multifamily rental projects with common laundry rooms]:** Building owners shall ensure that the microplastic filters on washing machines in common laundry rooms are regularly cleaned in accordance with the manufacturer's specifications for the selected filter. Filtered microplastics shall not be disposed of in drains. Rather, they shall be disposed of in the solid waste trash containers, unless municipal facilities become equipped for and readily able to recycle said microplastic materials in the future, in which case the captured plastic shall be recycled through the municipal system.
70. **[For multifamily rental projects with in-unit laundry machines]:** Building owners shall be responsible for alerting tenants as part of the lease or rental agreement, with affirmative recognition by tenants through required initialing on the lease or agreement, that the microplastic filters require regular cleaning per the manufacturer's specifications, which

must be provided by the property owner, and that the filter contents shall not be disposed of in drains but rather in trash cans (or in recycling, should municipal facilities become equipped for and readily available to recycle such materials in the future). Building owners/managers shall also provide and keep record of written reminders to tenants of the filter cleaning need and waste disposal direction no less than once every other month.

71. **[For projects on Known Archaeological Sites]:** No permit for any earth-disturbing activities shall be issued on the site without the owner first obtaining an Administrative Use Permit.
72. Applicant's/Property Owner's Duty to Defend, Indemnify, and Hold Harmless.
 - a. Applicant and Property Owner agree to defend, indemnify, and hold harmless the City, its officials, officers, employees, attorneys, and agents (the "City Parties") from and against all liabilities, losses, liens, damages, judgments, costs, and expenses, including, without limitation, reasonable attorney's fees ("Losses"), arising from or in any way related to this Project.
 - b. Applicant and Property Owner agree to defend, indemnify, and hold harmless City, its officials, officers, employees, attorneys, and agents ("City Parties") from and against any and all claims, demands, actions, and proceedings (collectively, "Actions") brought against the City, its officials, officers, employees, attorneys, or agents to attack, set aside, void, or otherwise modify the decision on the Project, permit decision, or environmental review related to the Project; or Actions alleging failure to comply with the requirements of any federal, state, or local laws, including, but not limited to, CEQA, general plan, or zoning requirements related to the Project. The defense and indemnification obligation includes reimbursing the City for any and all costs incurred in connection with such Actions, including but not limited to, costs of suit, expenses, payment of attorney's fees, City staff costs, court costs, damages, liabilities, judgments, and settlement costs.
 - c. Applicant and Property Owner shall also defend, indemnify and hold harmless City Parties for all costs incurred in additional investigation of or study of, or for supplementing, redrafting, revising, or amending any document (such as an EIR, negative declaration, specific plan, general plan amendment, or ordinance) if made necessary by said Actions and if the Applicant or Property Owner seeks to pursue securing such approvals and/or clearances, after initiation of the Actions, which are conditioned on the approval of these documents.
 - d. City shall notify Applicant and Property Owner of any such Actions and City agrees to cooperate in the defense of the Actions. Upon receipt of such notification, Applicant and/or Property Owner shall assume the defense of the Actions, including the employment of counsel reasonably satisfactory to the City. In the event of a conflict of interest, City may employ separate counsel to represent the City; and Applicant and/or Property Owner agrees to pay for the reasonable attorneys' fees and costs of the City's separate counsel.
 - e. Applicant and Property Owner agree that City may, at its sole discretion, participate in the defense of such Actions; but such participation shall not relieve Applicant or Property Owner of any of the obligations herein to defend, hold harmless, and

indemnify the City Parties. If the City Attorney's Office participates in the defense, all of the City Attorney's Office fees and costs, and City staff costs, shall be paid by the Applicant and/or Property Owner.

- f. In the event that Applicant and/or Property Owner is required to defend City in connection with any Actions, City shall retain the right to reasonably approve: the counsel to so defend City; all significant decisions concerning the manner in which the defense is conducted; and any and all settlements, which approval shall not be unreasonably withheld but which is contingent on the approval of the City council.
- g. Applicant and Property Owner agree to reimburse and indemnify the City for all of City's costs, fees, including attorney's fees and costs, staff costs, and damages incurred in enforcing these provisions to defend, hold harmless, and indemnify the City Parties.
- h. Applicant's and Property Owner's duty to indemnify and hold harmless shall not apply to the extent such Actions or Losses are caused by the gross negligence or willful misconduct of the City Parties. Applicant's and Property Owner's obligation to defend shall arise regardless of any claim or assertion that City Parties caused or contributed to the Losses.
- i. The obligations of Applicant and Property to defend, indemnify, and hold harmless the City Parties, are joint and several.
- j. [The obligations in this section shall survive the expiration or termination of this _____ (e.g. Conditions of Approval; Agreement etc)].